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From the Author

b

MISCELLANEOUS NOTICES

RELATING TO

CHINA,

AND OUR

COMMERCIAL INTERCOURSE WITH THAT COUNTRY,

INCLUDING

A FEW TRANSLATIONS

FROM

THE CHINESE LANGUAGE.

BY

SIR GEORGE THOMAS STAUNTON, BART.
LL.D. & F.R.S.

SECOND EDITION, ENLARGED.

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1822.

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PREFACE.

THE favorable reception of a small volume of translations from the Chinese language, published by the Author last year, has induced him to hope that the few additional notices and translations of a miscellaneous nature, which he now submits to the public eye, may likewise be found in some degree interesting. These notices and translations, as well as those contained in the preceding volume, were written many years ago: but they have since been carefully revised; and the translations, whenever an opportunity has offered, have been collated with the originals, so that he trusts that they contain no material inaccuracy.

The latter and principal part of the present volume, has little connection with Chinese literature, being almost wholly devoted to considerations of a commercial nature.

Some important questions, connected with our commercial system with respect to China, are at present in agitation, upon which, certainly, a very great diversity of opinion exists; and which are considered, by all parties, to involve commercial interests of the very first magnitude.

The Author has under these circumstances been induced, though wholly unconnected at present with either of the contending interests, and little anxious at any time to obtrude himself unnecessarily on the notice of the Public, to take this opportunity of submitting his opinions on the subject, at some length, to the consideration of the Country. They are the result of much reflection and some experience; and he feels assured that

no other pretensions are necessary, to ensure them a candid and indulgent reception.

He has first considered the subject of the China Trade generally, in reference to the question of the renewal of the Charter of the East-India Company in 1813; next, in reference to certain strictures on the present system of its direction and management, contained in an article in the Edinburgh Review for February, 1818; and lastly, in reference to the recent Reports which have been made on the subject, by the Committees of the Two Houses of Parliament on the Foreign Trade of the country.

The Author has to apologize for having frequently recurred, in the course of his remarks, to the same facts, and, sometimes, nearly to the same line of argument. He has been, in some measure, obliged to do so, in order to render each division of his subject complete within itself; but it is hoped that

it will be found, that no fact or argument has been brought forward a second time, without some material addition in point of illustration, which, as the subject cannot be familiar to the general reader, may not be altogether without advantage.

Leigh Park,
Jan. 1822.

PREFACE

TO

THE SECOND EDITION.

THE AUTHOR has been happy to take advantage of the present opportunity of correcting some errors, both of the press, and of the manuscript, which were overlooked in the hurry of the first publication.

He has also subjoined to this edition an Appendix, containing a few additional illustrations connected with his subject; chiefly with reference to the Chinese Laws: first, as to their general spirit and character; and secondly, as to their particular operation upon the British intercourse with China.

With respect to the former point, he has largely availed himself of a much abler pen than his own, and one which cannot be suspected of that partiality to the subject, which the Author himself may perhaps be supposed to feel, from having, at a former period, devoted to its investigation much of his time and attention.

With respect to the latter point, it has been his endeavour, while commenting upon the circumstances of a late dispute between the Americans and the Chinese, on the occasion of a homicide, to find a clue for in some degree unravelling the perplexities of our own situation in China, in cases of a similar nature.

If, as the Author contends, the sanguinary peculiarity commonly imputed to the Chinese laws, of requiring in every case of homicide indiscriminately, blood for blood, is entirely a groundless assumption; and if the more

than ordinary severity with which the local government of Canton endeavours to put the laws in force on such occasions, in respect to foreigners, is an unwarrantable aggravation of those laws, which, there is reason to believe, may always be resisted with success, the difficulties of the case are certainly a good deal alleviated: for, however infamous and unjustifiable it must be admitted to be, to become a party to the sacrifice of an innocent life, with a view to any considerations of commercial advantage, it surely cannot be contended on the other hand, that either a regard for our national honor, or any other just feeling, requires our interference in favor of persons guilty of crimes, amounting, in the common judgment of mankind, to murder.

Portland Place,
May, 1822.

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TRANSLATION

OF A PORTION OF

THE EMPEROR YONG-TCHING'S

Book of Sacred Instructions.

I.

Be strenuous in Filial Piety and Fraternal Respect, that you may thus duly perform the Social Duties.

Our imperial predecessor, *Shing-tsu-jin**, during a reign of sixty-one years imitated his ancestors, and honored his parents. Unfailing in his meditations upon filial piety, he sanctioned, by his imperial authority, the work entitled "The Book of Filial Piety, its Abundance and Justice." In this book its

* This emperor, better known under the name of *Kang-hee*, is generally considered to have been the most enlightened and accomplished sovereign who ever sat on the throne of China. He died in the year 1722.

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abundance is manifested from the Sacred Volumes, and its justice is illustrated and established by reasoning. The emperor's intention was thus manifested, to maintain, through the influence of the principle of filial piety, order and government in the universe. Accordingly the first, among the Sixteen Sacred Instructions of His Majesty, is an exhortation to filial piety and fraternal duty.

Since the charge of our great inheritance has devolved upon us, we have deeply meditated upon these Imperial Instructions, with an intent to diffuse and to establish the doctrine they convey. We shall, in the first place, declare the excellence of filial piety and fraternal duty, addressing ourselves by public proclamation to you, our soldiers and our people.

This filial piety is a doctrine from Heaven, the consummation of earthly justice, the grand principle of action among mankind. The man who knows not piety to parents, can surely not have considered the affectionate hearts of parents towards their children. When still infants in arms, hungry, they could not feed themselves; cold, they could not clothe themselves; but they had then parents who watched the sounds of their voice, and

studied the traits of their countenance; who were joyful when they smiled; afflicted when they wept; who followed them step by step, when they moved; who, when they were sick or in pain, refused food and sleep on their account. Thus were they nursed and educated until they grew up to manhood.

When to this are added the labours and anxieties which are undergone in providing for their marriage and future establishment, the various means employed and contrivances thought of, to enable them to follow a profession and gain a livelihood, the goodness of parents is found truly to be as boundless as the vast expanse of Heaven.

The sons of men who would repay but one ten-thousandth part of this parental kindness, ought to devote to it internally all their heart, and externally to apply to it all their strength—They ought to be frugal and temperate in their persons, and diligent in performing their labours, that they may always possess the means of evincing their pious regard to their parents, whenever their assistance is required; not given to gambling, or drinking; not fond of violence, quarrelsome, vindictive, avaricious, or attached to excess to their wives or children—When they want

the means or the talents requisite for an outward display, they may still make ample amends by their inward sincerity. This may be traced in all its extent. Thus it has been said by *Tseng Tse*, "In our general conduct, not to be orderly is to fail in filial piety; in serving our sovereign, not to be to faithful, is to fail in filial piety; in the performance of the duty of a magistrate, not to be careful, is to fail in filial piety; in the intercourse of friends, not to be sincere, is to fail in filial piety; in arms and in battle, not to be valorous, is to fail in filial piety. All these things are no more than so many portions of a pious son's duty.

When a father has a son who is his heir, let that son be addressed as a governor of the family. When a younger brother has uncles and elder brothers, let him address them as elders of the family.

Upon every daily occurence, upon what is given or received, upon all the affairs which concern the family, whether important or trivial, the seniors ought to be respectfully consulted by the juniors. At their meals, they ought to be unassuming; in conversation, submissive; walking, they ought to make way; standing or sitting, they ought to take the

lowermost places: that thus their observance of what is due by younger brothers to their elders may be made manifest in all things.—A stranger, when he is a senior by ten years, is served like any elder brother; a senior by five years is considerately attended; how much more then is respect due to a senior, who is of the same blood and family! Therefore next to a failure in filial piety, is a failure in fraternal duty. The duty to parents and the duty to elders are indeed similar in obligation: for he who can be a pious son, will also prove a dutiful brother; and he who is both a pious son and a dutiful brother, will, while he dwells at home, prove an honest and obedient subject; and, while engaged in active service abroad, a brave and faithful soldier.

You, O soldiers and people, indeed cannot but know that sons ought to be pious, and younger brothers dutiful. How is it then that you are inattentive to what is faulty in your practice, and thus, at length, break through these essential ties of society? If you be but capable of feeling shame and repentance, such as proceed from the heart with sincerity; if you will only exert yourselves, and endeavour to perform what is

required of you, having the duties owing to parents and to elders always in your minds, you will not fail gradually to improve in these sentiments; and, at length, they will be firmly established in you.

Attend not to mere outward display; still neglect not your duty even in trifles; let not fame from the praises of the vulgar be your object: nor, after beginning diligently, end slothfully. Thus, are the duties to parents and elder brothers to be studied and practised.

For the chastisement of such as are undutiful to their parents and their elders, the empire has indeed its established penalties; but these affect only such acts as have been brought to light; there are always some concealed and secret places into which hardly any laws can penetrate. If any of you, instead of learning to feel shame and repentance, should, at length, through the neglect of these duties, become vagabonds and outcasts, it would be to our heart most insupportable; we therefore thus earnestly admonish and forewarn you.

May you all, O soldiers and people, conform to these our intentions, evincing your good dispositions by your conduct and actions, each

fulfilling his duty as a son and a brother, according to the example which is left you by the wise and holy men of former times.

The doctrines of the ancient emperors, *Yao* and *Shun*, had their foundation in these essential ties of human society. They are all indeed comprised in those of filial piety and fraternal duty. *Meng-tse* said "Were all men to love their kindred and honor their elders, the world would be at peace." You must not, O soldiers and people, regard these as mere vain and empty words.

II.

Be firmly attached to your Kindred and Parentage, that your Union and Concord may be conspicuous.

The *Shu King* adverts to the love of kindred within nine degrees. The emperor *Yao*, in order that concord might prevail among all within nine degrees of kindred, made concord among kindred, the first of his public instructions.

The *Lee-kee* says, "he who honoreth his ancestors, and respects his kindred, will be attached to his immediate family. Whoever

then would illustrate, by his example, the duties of society, will find that harmony among kindred is of essential importance."

Every family has a parent stock, from which it is derived; like water when separating into different channels, or trees dividing into different branches, whether they are situated near to or remote from each other, whether they seem to be close or spreading, the source to which they are to be traced, is still one and the same.—So it is with the kindred families of mankind.—It is the same with them as with the human body, with its four limbs and its hundred constituent parts; the vessels, containing the blood, communicate throughout the whole of the frame. Its pains and its affections are common to all.

The *Cheu Lee* instructs the people conformably to this principle, when, among the six things which it enjoins, it places filial piety first, brotherly love second, and family concord third. This is, in truth, now, as it was of old, the unchanged and constant rule.

The emperor *Shing-tsu-jin*, after exhorting you to be strenuous in your piety to your parents, and in your respect for your elder brethren, in observance of the social duties, immediately proceeds, in the next place, to

admonish you to be firm in your attachment to your kindred and parentage, in order that your union and concord may be made manifest. The union of kindred and parentage is indeed an essential part of the social duties—Whenever union and concord are not manifested, the duties owing to parents and elder brethren cannot have been completely discharged.—These things, for your instruction, O soldiers and people, we shall now proceed further to explain.

The following are, generally speaking, the causes of a want of attachment among kindred: either the rich members of the family are covetous, and without charity to promote the welfare and relieve the distress of those that are poor; or the poor are importunate, and entertain expectations from the rich which are vain and unreasonable. Either the superiors in rank treat their inferior relatives coldly and contemptuously, forgetful in the hour of prosperity that they are still brethren; or, the inferiors are proudly jealous and discontented, because of the greater worldly success of those who are of the same blood as themselves. Either they contend vexatiously about their property, regardless of the duties imposed on them by their common origin; or

upon some casual occurrence and ocasion of discontent, they renounce in a moment all their former sentiments of mutnal affection. Either they are prejudiced by the weak judgment of their wives and children; or they submit to the deceitful influence of the empty words of public scandal and detraction.—If you give ear to, and suffer yourselves to be led away by calumnious insinuations, there are indeed no lengths to which you will not proceed; you will not only be deficient in unity and concord, but every trace of your kindred and common origin will soon be obliterated. O soldiers and people, do you not recollect that there is but one parent stock from which all those of the same name are derived: since you are all then descended from one individual, how can you thus abruptly renounce all mutual concern, and look upon each other as strangers!

Formerly, in the family of *Chang-kung-ye*, nine generations lived together under the same roof. In the family of *Chang-she* of *Kiang-cheu* seven hundred partook of the same daily repast. Thus ought all those who are of the same name to bear in remembrance their common ancestry and parentage. In their behaviour towards each other, they should be

rather liberal than sparing, rather affectionate than distant. Seniors and juniors, civil and obliging, each according to his degree. Superiors and inferiors mutually connected, each conformably to his rank and station.

Those who have cause to rejoice should be congratulated, from regard and affection: those who have cause to mourn should be commiserated and condoled with, in order to alleviate their distresses.

There are some works which a family which is poor, and not extended into branches, may hardly be able to accomplish; such as building a family temple, in order to offer joint sacrifices and oblations; founding a family school for the instruction and examination of youth; setting apart a portion of the family lands for the poor and needy; and keeping up and revising the family registers and genealogies, for the purpose of preserving the connexion between the remotest branches.—To all these works each individual may contribute something, in proportion to his means and abilities, and thus display his attachment to his kindred and parentage by his endeavours and exertions.

When thus all of the same name harmoniously agree and associate together, fathers

exhorting fathers to be affectionate, sons exhorting sons to be dutiful, elder brothers exhorting elder brother to be kind-hearted, younger brothers exhorting younger brothers to be obedient, peace and unity cultivated by all, duties to parents and elders practised with increased assiduity; the magistrates in consequence proclaming you as examples of a well disposed society; all good men admiring you as a just and virtuous race, and lastly, the whole world esteeming you for your mutual regard, and your respect for your common origin: what can be more delightful!

If, on the contrary, you separate yourselves from the other branches of your race upon trifling causes; if your love and affection for them is wounded by the slightest suspicions; if proudly despising them, you are no longer moderate and forbearing; if, prying into their defects, you cease to feel any good-will and friendship towards them, your conduct is not observant of the ancient doctrine: the established laws and institutions of the empire are offended by it.

O soldiers and people, in all your communications may you duly exhort and encourage each other—May your regard for your ancestors be manifested in your mutual love and

affection. May you be like streams diverging from their sources, or trees branching from their stems. In your cities and your fields peace and union will alike prevail, widely diffused to the farthest seas and extremes of the empire. The general happiness and content will be a presage of universal tranquillity. Since all these things will surely follow, is it not then most desirable!

III.

Agree with your countrymen and neighbours, in order that disputes and litigation may be prevented.

ANCIENTLY five families formed a neighbourhood, five districts a country department. In the due union of these consists the perfection of the doctrine of social harmony, support, and confidence. But in all neighbourhoods and country districts the inhabitants are daily increasing—Dwellings adjoining each other arise in a perpetual succession.—Little inattentions are now observed with an evil eye; trifling offences are marked with bitterness and severity. When, in any case, satisfaction is not immediately granted, disreputable feuds

arise amongst you; you incur all the humiliations which must ensue from bringing your disputes into the halls of justice, and placing your persons in the hands of the officers of the law. You bring shame and disgrace on yourselves if you fail: you are shunned and avoided by your countrymen if you succeed—The whole neighbourhood is agitated with suspicions, and seeks to be revenged of you. Is this then the way to provide a peaceful inheritance for your children and descendants!

The emperor *Shin-tsu-jin*, beholding with concern this contentious spirit prevailing amongst you, and reflecting how essential mildness and moderation are to the improvement of public manners, addressed this special article of his instructions to neighbours and fellow-countrymen, expressly for the purpose of exhorting them to agree together, so that all such quarrels and litigations might be nipped in the bud.

We, also, being equally desirous to see harmony prevailing among our innumerable subjects, now proceed, in reference to the above precept, fully to explain to you the duty of cultivating unanimity.

The *Shee King* says, "The people fail in virtue, even about a little dry meat,"—mean-

ing that quarrels and animosities take their rise from the most trifling causes.

The *Siang* of *Yee-sung* says, "The good man, in every thing he undertakes, reflects well at the outset." This advice enforces the precept "to avoid litigation" by striking at the source of the evil. Let a man then receive all with whom he is connected, whether nearly or remotely, with kindness and affability. Let him transact all his affairs, whether trifling or important, with honest intentions, and unassuming behaviour. Not despising the poor out of confidence in his wealth; not insulting the lowly, out of vanity at having risen to honors; not deluding the ignorant by an artful display of learning; not oppressing the weak by force and violence.

Verbal disputes and misunderstandings should be reconciled—and where favors have been shewn, exact returns should not be looked for. When there is a want of capacity, an ample allowance must kindly be made:—if any one unexpectedly opposes you, you may admonish and reason with him, and, provided your cause is a just one, you will scarcely fail to move him to shame and repentance—Even if you forbear even for a day, your neighbours

will admire your moderation; and if it is found that you do not quarrel at all upon small grounds of offence, all your countrymen will respect and esteem you. So great an advantage is it among neighbours and countrymen, to preserve peace and harmony.

It has been said of old seek not an augury when making choice of an habitation, but rather seek an augury when making choice of a neighbourhood.—When in distress, there is indeed no resource equal to that of your own neighbours and town's men—In each district, fathers, elders, sons, and younger brothers, ought to be united together as one person: rejoicing with the joyful; sorrowing with the sorrowful; looking on each other as members of one great family.—The cultivators of the soil and the dealers in the produce giving mutual aid—The artisan and the seller of wares giving mutual accommodation. This is the agreement which ought to subsist between neighbour and neighbour.

In like manner, by their uniting in discipline and exercises; by being always ready to assist each other in the defence of their respective posts, due agreement will be manifested betwixt soldier and soldier. Lastly, the soldiers exerting themselves for the pro-

tection of the people, the people ought in return to cherish their strength. The people suitably providing subsistence for the soldiers, the soldiers should requite them by becoming careful guardians of their property: thus should concord and harmony subsist between the soldiers and the people.

No more shall a basket of meal or a mess of pottage be a cause of dispute. No longer shall teeth of mice or horns of birds (i. e. the smallest trifles) be subjects of judicial contention.

Why indeed should dissensions be provoked amongst you—They consume your property, waste your time, and deprive you of your employment. Your inheritance being abandoned, you become wanderers and outcasts, and your persons become obnoxious to the laws. O why do you not advert to this!

The chief housholders and the venerable aged, in whom the neighbourhood chiefly trusts and confides; the distinguished by their learning or their valour, who are its flower and ornament, ought more especially, each in his place, to shew an example of peaceful and conciliating manners to all around them.

As for those malignant and officious individuals, who by their artful contrivances

endeavour to sow dissensions, or by their unprincipled proceedings to spread false alarms; who either, by a plausible and insinuating address, allure into error, or by deceitful professions of justice and honesty, procure themselves to be undeservedly trusted;—while one of such individuals is suffered to remain, there can be no tranquillity within the gates of the district. The sense and judgment of the country cannot tolerate them—All the laws of the empire are against them: and these laws, O soldiers and people, it is your duty ever diligently to observe and revere.

You are in this empire, under Heaven, necessarily associated in neighbourhoods and country districts—May you then, with sincerity, obey the excellent advice which your sacred ancestors have given you.

When parents and elders set a pleasing example by their unity and concord, children and younger brethren will be led to perform their duty with diligence. Attachment among kindred will be strengthened. Charity to neighbours being thus duly observed in every village, dwellings may safely be added one to another without intermission. Litigation being at an end, man is at peace.

Thus continuing to act from age to age, unity and concord will be diffused throughout all nations—Perfect peace will be established in the universe. In you, O soldiers and people, we shall then happily place our perpetual and grateful confidence.

IV.

Attend to your Farms and Mulberry Trees, that you may have sufficient food and clothing.

The first requisites for the support and preservation of our people are, we see, food and clothing. The sources whence these are chiefly to be obtained are agriculture and the cultivation of the mulberry tree. When a man ploughs not, some one in consequence suffers hunger: when a woman weaves not, some one in consequence suffers cold. In ancient times, the son of Heaven himself (the emperor) directed the plough; the empress planted the mulberry tree. Thus did these exalted personages, regardless of labour and fatigue, set an example to all under Heaven, to induce the millions of their subjects duly to attend to their essential interests.

The principle upon which food and clothing depend is this: from the earth they originally spring, and the course of the seasons brings them to maturity; but it is by the labour of man that they are raised and accumulated—In proportion as labour is neglected to be bestowed, want is endured. In an industrious family, the men have abundant provision of grain, the women abundant provision of cloth. In a slothful family there is neither a sufficiency for the service of parents, not for the maintenance of wives and children. No law can be more certain and invariable.

Although the northern and southern soils are various, some depressed, some elevated, some moist, some dry; the *Keng* and the *Tao* will suit the low and the moist soils, while the *Shu* and the *Tsee* suit such soils as are dry and elevated—However different the produce, the husbandman's duty is the same.

In like manner, although the mulberry tree, which supports the silk worm, is not generally found to succeed in any of the provinces, except those of *Kiang-Nan*, *Che Kiang*, *Se-chuen*, and *Hou-pe*; still hemp may be planted, and cotton may be sown; and the produce of these may be duly prepared

and spun. Thus different is the source from whence clothing is procured; but the duty of preparing it, as exemplified in the cultivation of the mulberry tree, is one and the same.

Anxiously, therefore, we herein express our desire that our people should exert themselves in the cultivation of their farms and mulberry trees—Not giving way to idleness and hating their labour: not beginning with industry only to end slothfully: not lightly deserting their fields and gardens, because perchance the season proves unfavorable: not inconsiderately quitting their ancient profession and inheritance, in the hope of larger gains and an extraordinary degree of good fortune in a new adventure.

If you will only persevere diligently in your present most essential of professions, although your annual receipts, after deducting what is expended for private use and for public service, may not leave you any considerable superfluity, still every day and every month will add something to the stock which you are accumulating for the comfort and wealth of your family. Your children and grandchildren will possess, from age to age, a lasting inheritance. The produce of their

patrimony will be their never-failing dependance.—Not so with those who quit the essential for the indifferent—What grounds can they have for placing such extensive confidence?

In respect to you, O soldiers, your duty lies in arms and in camps, and you therefore do not yourselves cultivate farms or mulberry trees; but you ought to consider that the monthly sums which are paid to you, the rations of grain from the public granaries which are issued to you, have all been collected in the first instance from the people, with a view to your benefit.

To the cultivators of farms and mulberry trees you owe every grain and every thread, which you or your families receive for your use and subsistence.

Since then you thus participate in their profits, peace and harmony should reign between you. Every possible aid and protection should be offered to the cultivators in in order to enable them freely and diligently to pursue their employments. The means of supplying your own class, with food and clothing, will thus never be wanting, and you will thereby enjoy the assurance of a constant support.

As for the body of civil and magistrates attached to each district, their duty consists in exhortation and superintendance; not taking the people unseasonably from their employments, nor otherwise unnecessarily interrupting them; but reprehending the idle and unemployed; encouraging the diligent and laborious—Carefully observing that in the open country no lands be left untilled; within the walls of cities, none of the inhabitants suffered to be vagrant and idle:—That the countryman quit not his plough and his harrow, or the countrywoman her loom and her silk worms. The mountain and the lake, the orchard and the herb garden, shall thus each yield its produce—The young fowl also, and the sucking pig, dogs and swine, have each a peculiar mode by which they are reared, and a proper season for becoming serviceable; they will yield to the cultivators of farms and mulberry trees, what they may further be in need of.

How abundant then and inexhaustible are your resources for food and clothing, if you are only zealous and diligent in your proper employments.

But it is to be feared, that in favorable years, when the crops are plentiful, you may omit to collect and lay by a store; and that in the seasons in which clothing is abundant you may be careless and wasteful of it.—Such a failure in point of frugality is no less blameable than a failure in diligence. Or, you perhaps greatly prize gold and precious stones, but look with contempt upon the grain and herbs of the field—You embroider your silk stuffs, but neglect the mulberry trees and silk worms which furnish them.—These are dispositions to ostentation and extravagance, which you must, O soldiers and people, carefully guard against. Ever since the illustrious reigns of the early kings the aged have been clothed and fed, the young secured from cold and hunger, riches and abundance diffused, and the generation improved and instructed; all by the observance of the foregoing principles.

The late emperor, *Shin-tsu-jin*, ever thoughtful and anxious to promote the welfare of the people, ordered various representations of the arts of weaving and husbandry to be made and engraven for general distribution. That thus the people should be stimulated

to be assiduous in the cultivation of their respective districts.

We also have considered the Imperial and Sacred Instructions, and being equally sensible of the eminent importance of all these things to the people's interests, have in consequence promulgated to you an explanation of these precepts, and again exhort you to exert yourselves in your proper vocations. We, the first of men, are clothed by our own rents, and fed by our own revenues, but are not the less desirous that all under Heaven should enjoy the blessings of warmth and abundance.

V.

Observe Moderation and Economy, that your property may not be wasted.

Since among all men, there cannot be a day without its expence, there ought to be no day without its allotted portion of subsistence. Something must be stored up in excess now, in order that there may be enough to supply unlooked-for wants hereafter.—Economy should therefore be held in estimation. A store is like a stream of water, and moderation and economy are like the dams

which confine it. If the course of the water is not stopped by the dam, the water will be constantly running out, and the channel at length will be dry. If the use of the store is not restricted by moderation and economy, it will be consumed without stint, and at length will be wholly exhausted.

Even the emperor *Shin-tsu-jin* himself, studied moderation and economy. The greatest under Heaven; the protector of mankind; the possessor of all the riches within the seas; condescended to practise an exact frugality in the use of all his possessions, in order that others might learn by his example. Since the most ancient times, among the most valuable instructions the people have received, have been lessons of diligence and frugality: but when diligence is unaccompanied by frugality, the labour of ten men will not suffice for the support of one. The accumulated stores of a whole year will be insufficient for one day's consumption—The evil is therefore thus only augmented.

Your pay and allowances, O soldiers, is fixed to a certain amount: if you know not how to employ what you receive with moderation; if you love new and splendid garments, and delight in costly and savory meats; in

one month, you will spend many months' allowances: then, to satisfy your wants, you must borrow—the interest will equal the principal; every day your debts and distresses will increase, and cold and hunger will be your inevitable portion.

You, who are husbandmen, ought in years of plenty, when abundant harvests fill your barns, to lay by a store for the future. If you waste it now upon entertainments and superfluous expences, the whole is soon exhausted. If in these plentiful years you thus consume the whole of your stock, in years of scarcity you must sink into poverty and distress: such is the natural order of things.—Yet the emperor has not failed one single day in the allowances to you, soldiers; nor have Heaven and earth failed to afford to you, husbandmen, the customary increase: Why then are you crying out with hunger and complaining of cold? Why are you wretched and forlorn? It is all owing to imprudence and want of economy.

Thus also it is with some, whose parents and ancestors, by their hard labour and diligence, and by small daily and monthly additions, had at length laid up a plentiful store. You, their sons and grandsons, when

you receive from them your inheritance, reflect not upon the labour and pains with which it was acquired, and wantonly consume it in endeavouring to make a display, and to outshine your neighbours. While any one exceeds you, you are dissatisfied, and never heed the consequences of your extravagancies. Your whole subsistence is thus soon consumed, nothing is left wherewith to maintain you.—If the sons of those who were originally poor can hardly maintain themselves, how much less shall those be able to do so who have ruined themselves by folly and profusion.—The weakly will perish of hunger and want in streets and ditches; the more robust will turn vagabonds and outlaws, and receive their fate from the laws of the empire.—These are the final consequences of a want of economy.

The *Ye-king* says, "When prudence is wanting there is weeping," which means that those who do not begin with prudence and frugality, will end with weeping and repentance.

You therefore, O soldiers and people, ought strictly to observe this article of the sacred admonitions, and carefully cherish it in your remembrance. Soldiers ought to recollect,

that the rate of their monthly allowance is fixed and unchangeable—Rather than exceed it, in the hope of extra indulgences, they should endeavour always to lay by something in preparation for the future. The people should recollect, that seasons of abundance and seasons of scarcity succeed each other without any certainty; that, if they think only of their immediate and daily wants, poverty and distress must one time or other befal them: Is it not preferable to reserve something for the future, so as to be equally prepared for the wet season and the dry?

Great indeed is the virtue and excellence of *frugality*. It is better to be despised for plainness and rusticity, while your substance is entire, than to gratify your pride and vanity to your ruin and destruction.

In your dress there should be no excess of ornament—your food should be regulated by temperance.—Your wedding garments, and your funeral offerings, should each be no more than what is conformable to your rank and station in society. The style of your habitations and furniture should be plain and simple.—Your annual entertainments and hospitalities should all be regulated by reason and custom.

Thus you will shew proper regard for the increase which Heaven and earth bestow; for the favour your sovereign dispenses; for the fruits of your ancestors' labours; and for the future happiness and welfare of your descendants—The rich will thus run no hazard of becoming poor, and the poor may hope to become rich; each will pursue happily and contentedly his proper employment; all will be well nourished and fed, and our anxious cares and wishes for the prosperity of our people will be rewarded.

The *Siao-king* says, "To be strictly temperate, for the sake of giving support to parents, is a branch of piety which is incumbent upon all men." May you, therefore, O soldiers and people, strenuously exert yourselves and act accordingly.

VI.

Extend your Schools of Instruction, that learning may be duly cultivated.

ANCIENTLY every house was provided with its study, every village had its school, every district its college, and the empire its supreme establishments for learning. Thus, no man

was out of the reach of instruction. All assiduously frequented the places where instruction was imparted; all submitted to the direction and authority of the officers appointed to diffuse it. All thus acquired the knowledge which became them as men. In every village and district manners and customs were preserved inviolate. Whether of a quick or a slow genius, of a vigorous or weakly frame of body, all were equally directed to one and the same object.

The emperor *Shin-tsu-jin*, in the course of his long and auspicious reign, improved the age, and specially cherished all establishments for learning. Every kind of indulgence by which the student could be encouraged, and every rule necessary for his direction, was provided. Among the four classes of the people, the student holds the first rank.—All men ought therefore to have a due consideration for his profession, and he ought to have a due consideration for it himself.—Great is the benefit which will then ensue. When the student duly improves himself in learning, his neighbours and fellow villagers look up to him as a model for their imitation—The manners and customs of the people will be fashioned according to the example he

gives them. But this superstructure of learning should always have the principle of duty to parents and elders for its foundation.—Wisdom should precede, and letters follow. The books that are studied, and the teachers that are frequented, should be true and genuine ones. The claims of justice and propriety should be firmly maintained on the one hand, and the dictates of modesty and delicacy no less reverently observed on the other. For otherwise, instead of establishing yourself in knowledge, you may fall into error, and thus disgrace the walls of your college. You may flatter your vanity with the acquirement of a name, and yet dishonour the garment of a student. It is only by carefully attending to all these things, that you will be a truly meritorious student. He who runs precipitately after the mere name and profits of study, and yet transgresses its established rules, learns nothing but false and perverse doctrines, and quits altogether the path of true wisdom. He who pretends to profound learning, without regarding first himself, and his own duties; fame indeed he may acquire, but when he is examined, he will be found to possess no solidity.

When *Hoo-yuen* was a teacher in ancient times—education under him was brought to great perfection: when *Ven-ung* was a governor in *Se-chuen*—great was the improvement of all the youth of the province.

Seeing therefore the great importance of national instruction, we have given orders to our tribunal of civil affairs to select always the most dutiful, temperate, and enlightened men to such offices, in order that genuine knowledge and learning might be diffused, the people improved, and their habits and customs preserved from corruption.

The success and advancement of the institutions for learning, no doubt require great wisdom and a severe gravity on the part of the instructors. But it is still more important that the student should do his part, and carefully attend to his own conduct and character. When these are unexceptionable, the literary performances which he makes public, will correspond with them—They will not be false and empty doctrines; their practical application will not be trifling or insignificant. The writer, if unemployed, will possess an honorable name as a man of letters; and, if in office, will prove a trusty and faithful magistrate. How great then is

the importance of a due attention to these pursuits!

Perhaps you, O soldiers and people, are not properly sensible of the importance of instruction, because you think it does not immediately concern yourselves. But do you not consider, that though you may not enrol yourselves as candidates for honors in the schools, you are, all of you, at least concerned in the observance of the common duties of society. Now *Meng-tse* has said, "Be diligent in your studies in your schools and colleges; pursue them in the spirit of piety to your parents and of duty to your elders;" again he has said, "when the relative duties of society are illustrated by the superiors, there will be harmony and affection among the inferiors." Schools of instruction are not therefore established merely for the education of professed students, but for the improvement of the whole people.

Among the several institutions for public instruction, some are civil, others military—Though the ancient sages are studied in the one, and martial exercises taught in the other; yet filial piety and fraternal duty are fundamental principles common to all—Thus, in fact, the student and the husbandman have

one and the same final pursuit. When the cultivator of the fields acts with honest views and a due regard to his social duties, he is (as far as respects the ultimate end) as much a student as the other.

The pursuits of the soldier and the citizen correspond in the same manner. The soldier, who following the profession of arms, shews respect for his superiors, and love to his kindred, is also (as to the ultimate end in view) a student as well as the man of letters.

How then, O soldiers and people, can the establishment of schools and colleges be indifferent to you! How then, O soldiers and people, can you think the study of the examples of the truly good and wise unnecessary for you! Who is there among you who does not stand in the relation of a subject to his sovereign, and in that of a child to his parent? Who is there among you whose nature is not implanted with a regard for the rules of charity, justice, wisdom, and decorum? Say not, therefore, that the provision made for public instruction concerns professed students alone. All men ought kindly and earnestly to advise and instruct each other—All should be reciprocally vigilant that justice and good habits be unbroken,

that zeal for virtue and benevolence be encouraged. Thus the simplest and most ignorant citizen may plough and dig his fields, consistently with justice and decorum of conduct. The soldier, constant in his martial exercises, may put on his armour consistently with the dictates of the Sacred Poems of the *Shee-shoo*. One path and one system of conduct is perfect and complete. It is the same at this day, as it ever has been.

VII.

Reject all false Doctrines, in order that you may duly honor true learning.

We are most anxious that the manners and customs of the people should be preserved and improved: for this end it is necessary, that the understandings* of men should be rightly directed; and, in order to direct men's under-

* The word in the original is "heart;" but the Chinese, when they speak, metaphorically, of the qualities of the heart, generally mean those qualities which we attribute to the mind or understanding.—We seem to adopt this metaphor in the same sense, when we speak of learning by "*heart*," and the Romans, the same, in the word *recordari*.

standings rightly, a right course of education and study must be established.

With the whole of mankind, to whom upon this earth, under Heaven, it has been given to live, the doctrine of the social duties is of all others the most essential, and it is in daily and constant use. The wise and the ignorant are equally concerned in it: but as to the searching after hidden things, and the working of marvels: these, the wise and good have always refrained from.

The *Ye-king* says, "The simple are enlightened by education. Great and excellent works spring from it."

The *Shu-king* says, "neither deceptive nor excessive, neither devious nor contradictory, is the royal doctrine."

Now *these* excellent works and *this* royal doctrine are taught in the school of true learning.

But as to other writings besides those of the ancient sages, other books besides the sacred and classical; they serve only to alarm the people and terrify them from their duty. Wild and confused, they corrode and undermine the inheritance of the people wherever they are received. Being all false and corrupt, they should be absolutely renounced and rejected.

You, O soldiers and people, are for the most part diligent and sober minded, simple and incorrupt; but there are some among you who have fallen astray into the paths of error, and whose ignorance has involved them in guilt and misfortune;—they are the objects of our sincere compassion and concern.

From ancient times three principal doctrines have been transmitted to us. First, is the honorable doctrine of the *Yu**, and then those of *Fo* and *Tao*.—Respecting these latter, *Chu-tse* has said, " The doctrine of *Fo* regards neither Heaven nor earth, nor the four quarters of the world; its only object is the establishment of its sect, and the unanimity of its members. The doctrine of *Tao* consults nothing more than individual enjoyment and preservation."

These words of *Chu-tse* are fair and just, and clearly shew the real aim of these doc-

* The system of faith taught in the schools of Confucius.—It seems to be a species of deism, inculcating very vague and imperfect notions of the Deity; but establishing a useful code of morals, the merits of which were, however, at one time, much overrated in Europe, though it may still be fairly admitted to place its author in the first rank of pagan moralists; and it has certainly had a considerable share in the advancement of the Chinese empire to its present state of civilization.

trines. These wandering and mendicant sectaries are glad to disguise their views, because of the corruption of their practices—Their chief pursuit is to diffuse false auguries, and omens of good and bad fortune; and they thus make a livelihood by the sale of their idle tales and vain predictions. At first, they go no further than to delude the people out of their money, to enrich themselves; but, by degrees, they lead the people of both sexes to meet indecorously together; and burning incense, they initiate them into their sect.—Husbandmen and artisans desert their respective callings, and flock after these vain and deceitful talkers. At length, when things are come to the worst, they hold secret meetings for various wicked and criminal purposes: They form brotherhoods by oaths and imprecations—they meet by night, and disperse by day; they break asunder the ties of kindred and affinity—They disorder the minds of the people, and distress them with false reports.

At length the day comes in which their nefarious proceedings are brought to light.—The leaders and all their adherents are seized: they are thrown into prison, and their wives and children partake of their sufferings.—The chiefs of the sect suffer as principals in

the guilt, and what was expected to prove a source of their good fortune, becomes the cause of their misery and destruction. This applies to the *White-lilly*, the *Incense-smelling*, and other similar sects. They all lead to destruction. Thus it is also with the European sect, which honors the *Master of Heaven**. It has

* The Roman Catholic missionaries, upon the first propagation of the Gospel in China, not finding any single term in the language, perfectly adapted to their purpose, taught their converts to adore the Deity, under the title of "Master of Heaven:" and accordingly the Christian sect in China is popularly known under that designation. The pious labours of the missionaries were attended at one period with considerable success, and they counted above 200,000 converts in China and the adjacent tributary states; but various untoward circumstances have since opposed their progress, and the number of persons professing Christianity is probably much reduced.

In later times, our own Protestant missionaries have also been distinguished in their zeal for the propagation of the Gospel in China—Although they have hitherto very judiciously abstained from any plan for the immediate conversion of the natives within the pale of the empire, they have completed a Chinese translation of the Old and New Testaments, the Book of Common Prayer, and of some Religious Tracts; and they have also established an Anglo-Chinese college for the instruction of native Chinese at Malacca: by these means, whenever the circumstances of the times shall permit, we may certainly look for the introduction of our pure Christianity into China, with the most rational prospect of success.

no place, any more than the rest, in the sacred volumes. The Europeans are employed by the government of the empire merely on account of their skill in computing the seasons. Of this you cannot be ignorant, and must not be unmindful.

These false doctrines, which agitate the minds of the people, our laws by no means tolerate—For the suppression of all necromancers and false teachers, there are special punishments. The object of your emperor, in all such regulations, is no other than that of preventing the people from acting wrong, and exhorting them to act right: that they might renounce the false, and honor the true doctrine: that danger might be averted from them, and peace be confirmed among them.

You, O soldiers and people, have derived a certain inheritance from your parents: you are living in a peaceful and tranquil age: food and raiment, you have in sufficiency. Your aged and your children, who look to you for support, are all in security. If, notwithstanding this, you continue to be occupied with fallacies, and remain obstinately attached to these false doctrines, disobeying the imperial laws, and rendering yourselves obnoxious to the officers of the

imperial government, how great must be your folly!

The emperor *Shin-tsu-jin*, who led his people by his benevolence, and ruled them with the perfection of his justice, has left you the most lasting and important instructions, and all mankind should treasure them in their hearts with unfailing remembrance.

Complying therefore, O soldiers and people, with his Sacred Instructions, it is especially your duty to observe his sacred precept to avoid all false doctrines. You should hold them as thieves, overwhelming waters, or destroying fire. And even fire, water, and thieves, can do no more than injure the body; whereas the mischief of false doctrines extends to the heart and the understanding.

The heart and understanding are inclined by nature to truth, and averse to falsehood: if, therefore, you are only firm and resolute, you will be untainted. You will find, that among all the false doctrines, there is nothing to be found that equals the true. If peace and concord reign in your family hall, they will prove a favorable augury to you in all your difficulties. Piously serving your parents, faithfully serving your sovereign, ex-

ecuting exactly all the duties of your situation in life, you have already enough to assure you of Heavenly bliss. Seeking nothing unsuitable to your station in society, doing nothing which is forbidden by your duty, but always diligent in your proper business, you will not fail of Divine security and protection. Whether working or ploughing, discoursing or exercising, if you only duly improve all your natural resources for food and raiment, and respectfully obey the renovating doctrines of truth and wisdom, you will find these false sects will not wait to be driven away, but will cease of their own accord.

VIII.

Declare the Laws and their Penalties, for a warning to the foolish and ignorant.

Laws sanctioned by penalties, the emperors and kings of the earth have found indispensably requisite: but the sanctions have been appointed with the most profound judgment, and the laws themselves framed upon the basis of the interests and affections of mankind. Were the intentions of the laws clearly comprehended, and their reasonableness properly felt and acquiesced in, the

government prisons would be untenanted, and further proceedings in courts of justice would become unnecessary. These desirable ends it is always preferable to attain by previous admonitions and warnings, than by the inflictions of pains and penalties upon past transgressions.

According to the institutions of the dynasty of *Cheu*, all the superiors of provinces, the principals of districts, and the chiefs of families, assembled the people under their respective jurisdictions, on the first day of every moon, in order to read and explain to them the laws of the empire. The great magistrate, *Ta-se-keu*, suspended upon the gates of his tribunal a full specification of all crimes and punishments, that all the people might see them, and learn to conduct themselves accordingly.

In the present age also, the laws and statutes which the government of the empire has enacted; the various explanations by which all their details and intricacies are elucidated for the use of the soldiers and people, so that they may be enabled respectfully and entirely conform to them, and avoid the consequences of transgression, are profound and excellent in the highest degree.

The emperor *Shin-tsu-jin*, whose abundant charity and diffusive benevolence comprehended the whole of his innumerable subjects without exception, displayed upon every thing which concerns the infliction of pains and penalties, a more than ordinary degree of care and anxiety. We, also, since our accession to the imperial throne, have shewn favours and indulgences in conformity to his amiable and beneficent example. We have many times issued edicts of grace: We always carefully examine and revise the proceedings of our courts of justice, and look forward with hope to such a progressive improvement in morals, as may at length permit us to see the customary seasons for punishment return, without presenting any ocasions for their being inflicted.—At the same time, we are aware that you, O people, living in woods and wilds, must be rude and simple in your habits; and that you, O soldiers, spending you time in arms and martial exercises, must be naturally prone to violence and impatience: both classes are thus constantly liable to provoke the vengance of the laws, and to draw on themselves severe decrees by their wickedness or their folly.—We therefore now address you

this special admonition, in order at once to rouse the careless, and warn the thoughtless of their danger.

You have the good fortune to live in a tranquil and peaceful age; and are happily engaged in bringing up your respective families. It is only further required of you, to perform the duties of your several stations, and to act with decorum and propriety: easy and contented, you will thus go on progressively improving, for endless generations.

Let each, according to his leisure and opportunities, declare to his neighbours the laws and statutes, with all their various clauses and minute sub-divisions, illustrating their justice, as well as explaining their meaning. Acquainted with the rule, they will learn to respect it—Comprehending the law, they will the more readily keep in mind the penalty of transgression. Thus, when they know the laws against the undutiful to parents and elders, they will no longer venture to commit actions which subvert order in families, and break the ties of society. When they know the laws against quarrelling and fighting, tumults and rapine, they will hardly presume again to enter into broils, and give loose to their violent and ferocious passions.—When they know the laws

against adulteries, thefts, and frauds, surely they will be led thereby to restrain and govern their depraved propensities.—When they know the laws against irregular, or false and malicious informations, they will surely renounce the spirit of obstinate and perverse litigation. In a word; all the various laws, their thousand articles, and ten thousand periods, are all united in regulating the passions and giving due direction to the reason. All hearts are originally open equally to the joint influence of heavenly reason and human affections.—When the mind is under the government of its affections and its reason united, the body will never fall into the hands of justice, and have to endure the consequences of transgression.

O soldiers and people, if you should happen to be so ignorant and simple by nature, as not to be able to comprehend the excellence of justice and right reason, you have at least some regard for yourselves and your families. Reflect, therefore, upon the thousand distresses, to which, by a transgression of the bounds of the laws, you will be exposed: and though you should call upon your judge for mercy, and hope to influence him to let you escape from under the lash of punishment;

how much better is it to wash out the guilty inclination from your hearts, and to purify your thoughts; and thus to repent in time while the night still conceals you. If you wait till you are found guilty, and then humble yourselves, and spend your substance in endeavouring to obtain some remission of your punishment, you will, after all, hardly be able to escape; how much better then is it to reform in time, to become virtuous, and to abstain altogether from offending the laws, so that yourselves and your families may long rest in security. If, on the contrary, you are deterred by no warnings, but rush headlong upon the consequences of transgression, you will dishonor your parents, who are above you: you will bring ruin on your wives and children, who are below you. Your countrymen will not endure you: your kinsmen will hold no converse with you; and, though by some lucky accident you may obtain a pardon, and thus escape legal punishment, you are personally ruined and disgraced; you are become an outcast from society: you will then repent of your past misconduct and misdeeds, and wish to retrace your steps; but will it not, alas, be too late!

We have always heard, that the way to insure the well-being of a family, is to take a delight in acting honestly; the way to ensure our personal safety, to perform contentedly our duty. Do not say, that this is a small offence and is allowable; for wherever there is an offence, there is also a rule by which it is punished. Do not say, that this crime is a light one, and may therefore be trifled with; for wherever there is a crime, there is also a law by which a penalty is imposed on it. The rod of justice must be reverenced at all times. The five punishments must be kept in mind by all persons. If you fear the law, you will not transgress the law: If you dread the punishment, you will avoid the punishment. Vagabonds and outlaws will then gradually disappear. Quarrels and contests will be no more. The most ignorant will change for the better, and become intelligent—the most idle will learn to become honest and useful. The people will be happy in the cultivation of their farms.—The soldier will live contentedly in camps and in arms.—The administration of government, by means of penalties, will thenceforward be little required.

IX.

Let Humility and Propriety of Behaviour be duly manifested, for the preservation of good habits and laudable customs.

A LEARNED man, of the dynasty of *Han*, observed, that with regard to the five obligations of society, all men were in their nature alike; but in their hardness or softness, the quickness or slowness of their capacities, the difference was considerable. These then are their peculiar habits and customs: their habits, derived from the air of the earth and waters to which they are habituated:—Their customs, the modes and things which they are accustomed to like or dislike, to choose or to reject; such as the custom of being at rest or in motion, and the like; all these are variable, and conformable to the inclinations of each individual. Among these tempers, the amiable and the unamiable, the estimable and the worthless, cannot be forcibly reduced to the same standard.—Dispositions to extravagance and to frugality, to simplicity and to elegance, cannot naturally tend to produce uniformity of conduct. To harmonise, therefore, these opposite characters, and to reconcile all differ-

ences, the ancient sages established the *Lee*, or the rules of propriety in external conduct.

Confucius says, "To the tranquillity of the empire and government of the people, there is nothing so conducive as the observance of the rules of propriety." These rules regulate the universe, and maintain order among all things. Great indeed is their importance, widely extended their use. Without the observance of these rules, all wisdom, benevolence, charity, and justice, are incomplete. Without these; the high and the low, the noble and the ignoble, would remain undistinguished. Without these; neither the wedding garment, nor the funeral sacrifice, would be provided. Without these: there would be neither ceremonies, nor meat offerings in the imperial temple. Thus, therefore, it appears, that these rules are the foundation of all that is right in manners and conduct.

Of these rules, the most essential excellence is harmony; the surest test of their sincere observance is humility. Confucius says, "He who knows how to govern the empire with this propriety, and with humility, what needs be more!" Again he says, "Lead them with due respect and humility; and then the people will not be contentious." But if

nothing more is studied but outward professions, and the sincerity of the intentions are neglected, such observances are only a cover for deceits, and an aid to hypocrisy.

You may not, O soldiers and people, be able to comprehend the rules of propriety in their full extent; but, O soldiers and people, what is essential, is entirely in your own power; such as dutifulness and attention in serving your parents; deference and humility in serving your superiors; kindly leading and chearfully following, in your respective characters of husbands and wives; elder and younger brothers, loving and affectionate; between friends and companions, justice and sincerity; between kindred and relatives, unity and concord: All these observances of the rules of propriety and humble-mindedness, your own hearts will be sufficient to teach: you need wait no longer, nor go any further, for an instructor.

When harmony thus prevails in a society, the inferior members voluntarily govern themselves: in the several family halls, fathers assemble with their sons, elder brothers with younger brothers; all is respect and veneration on the one side, and cordiality and affection on the other. In the several

villages and districts, the elders and juniors, the high and the low, are united in one sentiment of regard and good fellowship.

To this end, you must avoid all cause of offence in your speech; you must forbear from all kind of encroachment and irregularity in your deportment: Not a thought of covetousness must be allowed to enter your minds, lest it lead you to violence and injustice. Not one impulse of anger should you ever give away to, lest it lay a foundation for quarrels and animosities. You must not, on account of the different appearance of the rich and the poor, depress the latter by your contemptuous treatment. You must not, on account of the apparent superiority of the strong over the weak, entertain views of tyranny and oppression.—Malignant and unsocial habits being thus prevented, each will enjoy long and happily his proper station. Obedient to the rules of propriety, there will be no irrational and disorderly practices: deporting themselves with humility, there will be no quarrels and animosities. Benignity will be displayed in the conferring of favors, wisdom in the observance of justice.

The village schools and provincial colleges will lead the student to wisdom and goodness.

The husbandman and the artisan, the merchant and the resident trader, will be alike honest and sincere. Lastly, even those, whose profession is arms and warfare, will submit to the wisdom of the Sacred Books, and gradually soften and wear away the natural hardness and violence of their character. Is not this the true spirit of cordiality and union; these the true evidences of regularity and subordination!

The *Shu-king* says, "the humble-minded are profited; but the puffed-up bring themselves into trouble." It is also an ancient saying, that "a man, upon the road, may give way to others all his life, and yet not lose an hundred paces. In adjusting the exact limits of his farms, a man may give way all his life, and yet not lose a rood of ground." Thus it is that propriety of conduct and humble deportment, instead of being hurtful, always end by being gainful.

We wish, therefore, O soldiers and people, you would receive with attention the admonitions on this head that our sacred ancestors have left you. Examine diligently your own selves. If you will learn to treat your brethren with mildness and goodness, you will soon convert the harsh and unsocial: if you

will manage your affairs with equity and moderation, you will soon reconcile to you the unreasonable and untoward. One man leads, the multitude follow his steps. One family sets an example, and a whole district imitates it. From the nearest the effect extends to the most remote—from being a constrained action, it becomes a voluntary one. Charity and justice become gradually the ruling principles. Manners are improved, customs are preserved in their purity, and the intent of these our repeated admonitions is happily realized*.

X.

Attend each to your proper employment, that the people may be fixed in their purposes.

* The editor abandoned the task of translating these Instructions at this place; and circumstances never permitted him to resume it.—Since however these pages were first written, (1812) a version of the whole Work, in some respects more literal, and including a paraphrase of it by an eminent Chinese Mandarin, has been published by a very respectable protestant missionary resident at Malacca; and may be referred to as exhibiting an entire view of this Chinese emperor's system of moral instruction. Enough, or more than enough, has, however, perhaps been already given here, of the Chinese mode of reasoning on these subjects, to satisfy the general reader.

XI.

Attend to the education of youth, in order to guard them from doing evil.

XII.

Abstain from false accusing, that the good and honest may be in safety.

XIII.

Dissuade from the concealment of deserters, that others be not involved in their guilt.

XIV.

Duly pay your taxes and customs, to spare the necessity of enforcing them.

XV.

Let the tythings and hundreds unite, for the suppression of thieves and robbers.

XVI.

Reconcile animosities, that your lives be not lightly hazarded.

END OF THE SACRED INSTRUCTIONS.

NOTICE

OF A

POPULAR GAME AMONG THE CHINESE,

CALLED

Tsoey-moey.

THERE is a curious coincidence observable between a game described in Adams' Antiquities, as common among the Romans; and one which is, at this day, in universal and familiar use among the Chinese.

Adams observes, that "there was a game of chance (which is still common in Italy, chiefly however among the vulgar, called the game of *Morra)* played between two persons, by suddenly raising or compressing the fingers, and at the same instant guessing each at the number of the other: when doing thus, they were said, "*Micare digitis.*" Cic. Divin. xi. 41 and Off. iii. 23."—Adams' Antiq. 458.

The game, called by the Chinese *Tsoey-moey*, is most usually played during entertainments at which wine is served, the guests severally challenging their neighbours to the contest. —Both parties raise their hand at the same instant, and call out the number of fingers they guess to be jointly held up by themselves and their adversaries: and when any one calls the right number, his adversary drinks off a cup of wine by way of a fine. The fist closed indicates 0,—the thumb alone 1,—the thumb and one finger 2,—and so on. As the action of the hand and utterance of the number, when the game is played fairly, are perfectly simultaneous, there appears no room open for the exercise of skill or judgment—Yet an experienced and quick-sighted Chinese will almost always beat an European or a novice at the game; which seems to arise from the latter betraying his intention too soon, through the want of a certain quickness or adroitness in the motion of the hand, which is possessed by the former.

In a note to Cicero's Offices, iii. 90.—The Roman game is thus noticed:—"Sic ludentes, simul digitos alterius manus quot volunt citissime erigunt, et simul ambo divinant

quot simul erecti sint, quod qui definivit lucratus est—Unde acri visu opus est, et multa fide, ut cum aliquo in tenebris mices."

The lower classes of the Chinese at Canton are passionately fond of this game, and the fines reciprocally imposed, are too apt to betray them from their customary sobriety—but it is not very probable that they have ever such confidence in each other, as to play at the game in darkness, as above alluded to.

NOTICE OF,

AND

EXTRACT FROM A CHINESE WORK,

CALLED

Tong-wha-loo.

THE *Tong-wha-loo* is a history of the reigns of the three first emperors of the present Tartar dynasty.—It is written in the same style as the annals of the empire under the preceding dynasties, but is not like them committed to the press, being only allowed to be circulated in manuscript.

The following is an extract from the index to the sixth volume:—

"*Shun-che*—1st moon of the 16th year of his reign, and 7th day—death of the emperor —his testamentary edict—detail of his virtues —the prodigies which occurred at his birth— the pedigree of his mother, &c.

"Ninth day of the moon:—Accession of the emperor *Kang-hee*—pardon of certain classes of criminals, and general gaol delivery throughout the empire.—*Kang-hee* takes the coronation oath in the great hall of *Yuen-ming-yuen*—confers a new name upon the emperor recently deceased.

"Second moon:—Burial of the late emperor, and detail of the funeral ceremonies—list of new appointments—reduction of salaries in certain cases—inspection of the frontier ordered."

In the 24th page of the 11th volume, the following Imperial Edict is registered, under the date of the 52nd of *Kang-hee*:—

"We have lately heard from the pirate, *Chin-shang-yu*, who surrendered and threw himself upon our mercy, that when his companions went to plunder vessels upon the high seas, it was their practice to avoid all European ships which they chanced to meet, being afraid of their fire-arms—but that they never failed to attack all the country vessels that fell in their way, and take from them their money and rice.—They, however, generally left a part, that the trade might not be destroyed entirely.

" The European nations, as well as the Chinese empire, lie about forty degrees north of the equator. European navigators calculate their distances by degrees, as the Chinese do by watches. The Europeans coming to China sail first eighty degrees in a southerly course, till they reach the Cape of Storms, and thence steer in a northerly direction, until they arrive at the limits of the province of *Quang-tong*. This is a voyage of six months or more, during which they see no land.

" There is also a mode of communicating from Europe with China by land—but as the kingdom of *Go-lo-se* intervenes, which is difficult of access, the route by sea is always preferred.

" *Go-lo-se* (Russia) is about 12,000 lee distant from *Pe-king;* it is bounded on the other side by Europe, and *Ta-eur-hu-se* (Turkey).—The latter kingdom furnishes the Russians with horses in exchange for furs.

" Last year the Russians were engaged in war with a certain kingdom of Europe, called *Swe*, (Sweden) and having been aided by the Turks, gained a complete victory.

" In the countries, called *Hou-tse*, *Wun-tu-su*, *Tan-pu-tay*, and *Ur-ke-ur-kin*, they use a kind of armour made of silk only, of forty

threads, which is equal in strength with that made in *Che-kiang* of eighty threads, and has been found on trial to be shot proof.

"Six hundred lee beyond the desert of *Ha-mi*, in the country of *Tu-lu-fan*, is a mountain called *Sheu-shan*—The summer there is so extremely hot, that the natives are obliged to plough the earth at night—they might be killed otherwise by the powerful effects of the sun's rays.

"The *He-sa-ke* (Cossacks) inhabiting the country of the *Ko-yang Khan*, are a warlike people.—War and plunder are their only profession.—Their women have a masculine spirit: and, if taken from them, generally take an opportunity of destroying their ravishers, and escaping back to their native country.

"The climate is warm, and yields a fine pasture for horses—They raise apples, grapes, and pears, of excellent quality. To the south-west of this nation is a horde of *Hoei*, (Mahometans) who are descended from the same stock as the Tartar emperors of the dynasty of *Yuen*. There is another horde of about 100,000, who have no other habitation beside their tents. These countries are less extensive to the northward—The climate there

is so very cold, that although it is understood that those parts were formerly inhabited, travellers meet with no traces of natives at present, and they are supposed to have perished. The woods are very extensive; and the snow lies many fathom deep. They have old accounts of mountains of ice in the northern seas, some thousand cubits high which though they have been disbelieved, may perhaps be entitled to credit.

" The various climates of these regions would naturally produce corresponding effects.—Having received these particulars upon good authority, we determine to make them immediately known."

NOTE

ON THE

Chinese Language and Poetry.

A LANGUAGE may be cultivated, either for its own sake, that is, for something that is intrinsic; or for the knowledge that the possession of it enables us to acquire. In the former case, its most valuable quality is, probably, capacity for refinement—in the latter, facility of acquirement. The Chinese language is certainly rich in synonyms and metaphors, and capable of great poetical refinement; but in point of logical accuracy and inductive reasoning, it seems to be extremely defective, and certainly labours under some peculiar difficulties and disadvantages, as a medium of general communication.—This is sufficiently exemplified,

by merely stating the fact, that what may be spoken with elegance and propriety, is frequently quite inadmissible in a written composition; and, that the compositions which are prepared in the closet, are seldom capable of being intelligibly recited—that is to say, the sounds, uttered in such cases, do not unequivocally determine the precise words that are written.

It is needless to remark how different this is in English, and indeed in all other languages with which we are acquainted.—With us, a well delivered speech and an elegantly written composition are not necessarily or essentially different.—We have, indeed, the distinctions of the light and familiar, and the grave and sententious styles—but these distinctions of style, do not, with us, separate the spoken from the written language, but apply equally to both.

The great difficulty of Chinese poetry has not been over-rated, though it seems to have been imputed to wrong causes.—It does not appear to be by any means true, that the *component parts* of the characters are at all considered in the selection of them; any more than with us, poetical words are chosen with a special reference to their supposed etymology,

or to the meaning which some of their syllables may possess, taken individually. A Chinese character is precisely equivalent to an English word—neither more nor less:—of course, some of their words possess a more comprehensive signification than ours, and others a less;—they have no single words that are synonimous with such as mathematics, philosophy, mechanics, politics, &c.—nor have we, on the other hand, any precise synonyms for a multitude of Chinese words, that might be easily quoted.

Again; some of their characters, when used in composition, are considered to coalesce entirely with others, and to convey together but one idea—in the same manner as with us —" man of war," " West Indies," " Habeas Corpus," " Magna charta," &c.

The structure of their poetry is, in fact, much the same in principle as that of ours—their stanzas are *measured* as with us; and the *order* of the characters, that is, of the words, is regulated by what we term their accent or intonation, just as our syllables or words, when monosyllabical, are chosen and placed according to accent or quantity. The beauty, as well as the difficulty, in these compositions, arising likewise from much the

same causes as in ours—namely, the use of images, metaphors, and allusions, and sometimes of individual poetical words, which though not trite or universally obvious, at once strike the intelligent and well educated reader as happy and appropriate.

Familiar and simple language is usually employed, and with great effect, in the infancy of poetry—but in China, where the art of poetry has perhaps been studied longer, and practised more extensively, than in any country upon earth, delicacy and refinement in expression, naturally become its more leading recommendations. To understand poetry of this description, in any language, several things are requisite besides the mere acquisition of the language itself, as it is applicable to the ordinary purposes of life. It is necessary to be pretty extensively acquainted with all the facts contained in the received histories of the country, fabulous as well as authentic. It is necessary also to be tolerably familiar with all the ancient classical poetry of the country, because these are usually the models of all subsequent compositions of the same description—and, lastly, it is necessary to possess a general knowledge of what are the ordinary habits, amusements, received

notions and superstitions, of the people: without this knowledge, the grounds on which all their associations of ideas are formed, will be constantly liable to be mistaken.

In fact, even in respect to prose composition; the knowledge of words, which a man acquires by merely consulting a Dictionary, is totally different from that with which he ultimately becomes possessed, by reading those words repeatedly, as they occur in approved authors. Except in cases in which there exists a precise synonym, (which are by no means of such prevailing occurence in any two languages, even of Europe, as may be at first supposed) it is only by considerable reading that the exact nature and force of any word can be properly felt.

The more remote the two nations are from each other, and the more dissimilar they may happen to be in their habits and characters, the smaller, of course, will be the proportion of words in their respective languages, that are strictly synonimous—and hence there is a peculiar difficulty experienced by an European in acquiring the Chinese language, which seems not to have been sufficiently adverted to. A man, if he has tolerably quick parts and a retentive memory, may, in no very

considerable period of time, contrive to possess himself with the definitions of five thousand or more characters, such as they are usually given in the Dictionaries:—but to acquire even a single character, so as to have the complete possession of it, to understand it in its proper sense whenever it occurs, and to know, in all cases, when and how to make a proper use of it, will, in some instances, require as much time and application as the acquisition of the whole five thousand would do, in the above superficial manner.

Notices of Chinese Books.

THE *Ta-ming-hoey-tien*, or Civil Code of the Dynasty of *Ming*, consists of 40 volumes, divided into 228 chapters.

The first chapter relates to the Jurisdiction of the Court of Princes.

2 to 13	Tribunal of the Magistracy.
14 to 42	Board of Revenue.
43 to 117	Board of Rites and Ceremonies.
118 to 158	Military Board.
159 to 180	Tribunal of Justice.
181 to 208	Board of Works.
209 to 211	The Court of Appeal.
212 to 228	Minor Boards and Tribunals.

The *Hu-pu-tse-lie*, or Fiscal Code of the reigning Dynasty, published in the 46th year of *Kien-lung*, A. D. 1781, consists of 36 volumes, divided into 126 chapters.

Chap. 1 to 4	Census of the People.
5 to 18	Division of Land, & Land-tax
19 to 23	Public Funds and Stores.
24	Receipt and Expenditure.
25 to 33	Store Houses.

Cap. 34	to 41	Water Carriage.
42	to 45	The Mint.
46	to 51	Salt Duties.
52	to 61	Barrier Duties.
62	to 90	Duties extraordinary.
91	to 100	Salaries and Pensions.
101	to 107	Military supplies.
108	to 117	Gratuities and indulgences.
118	to 124	Miscellaneous disbursements
125	& 126	Miscellaneous Regulations.

The *Ta-tsing-hoey-tien*, or Civil Code of the present Dynasty, contains the following account of the first establishment of European commerce at *Chusan*:—

"On the 34th of the emperor *Kang-hee*, (1695) the first custom-house was established for receiving the duties at *Ning-po*, by the collector of the province of *Che-kiang*, with twenty revenue cutters, and a suitable number of officers. A subordinate custom-house was also established at the city of *Ting-hay*, (Chusan) and a place allotted for the factory of the *Hung-mao* (the red-haired race; meaning the Dutch and the English). The collector was directed to make an annual visitation, and to receive the duties; which were appointed to be levied according to an established tarif."

NOTE

RELATIVE TO CERTAIN

Rites and Ceremonies of the Chinese.

A VERY important difference of opinion existed between the Jesuit and the Dominican missionaries in China, respecting the instruction and discipline of their new converts to the christian faith. The former contended that certain customs and ceremonies, to which the Chinese are very strongly attached, are innocent and allowable among christians; and the latter, that they are superstitious and idolatrous, and must therefore, at all hazards, be rigidly proscribed. This dispute was referred to the pope; and the Jesuits, who were then in considerable favor at the court of Pekin, had the address to interest the emperor himself in their cause, and to procure, under the authority of an Imperial Edict, an interpretation of those customs and ceremonies

favorable to their views, for the purpose of its being submitted to the pope. His holiness nevertheless decided against the admissibility of the Chinese ceremonies—and they have in consequence been renounced ever since by all the catholic converts; but it is probable that this decision has somewhat reduced their numbers.

The explanation of the Chinese ceremonies, to which the emperor gave his sanction, was printed in China, in Chinese and Latin, for general information. The following is the Latin text; which, on a comparison with the Chinese, appears a very fair translation:—

Libelli supplicis versio, in quo continetur declaratio rituum quorundum, et consuetudinum Sinicarum eo sensu, quo societas Jesu hactenus in Sinis eas permisit: oblata Imperatori Kamhi, die 30 *Novembris, anni* 1700.

Etiamsi viri inter Europæos literati audierint de ritibus, quibus sinæ honorare solunt, Cælum, Cumfucium, et defunctos parentes: quia tamen haud intelligunt horum rituum rationem; his verbis ad nos scripserunt.

Quandoquidem magni Sinarum imperatoris benignitas, ac munificentia ad omnia loca pervenerit, ejusque nominis, ac sapientiæ plane admirabilis fama, omnia omnino regna

pervasit; videtur predictorum rituum consuetudinem in aliquâ ratione fundatam esse oportere: quare rogamus vos, ut de his ad nos sigillatim, et distincte scribatis. Ad hæc sic respondimus.

Cum honorem Cumfucio exhibent Sinæ, id faciunt, quo suam ei reverentiam testentur ob traditam sibi doctrinam: quam cum ab ipso acceperint, quonam pacto fieri potest ut ei, pro ipso, flexis genibus, demissoque in terram capite, debitam honorem non rependant? ea scilicet est vera ratio, qua orbis sinicus Cumfucium pro magistro habet, ac veneratur; et est genuinus sensus quo Sinæ illum colunt: quod certè non faciunt, ut ab ipso ingenium, claram intelligentiam, ac dignitates petant.

Quod spectat oblationes, ritusve, quibus prosequuntur defunctos parentes, ac propinquos fato functos; hæc ab iis adhibentur, ad demonstrandum debitum amorem, ac reverentiam, erga illos, necnon gratitudinem erga authores stirpis, ac gentis suæ. Propterea veteres Imperatores determinârunt ritus solemnes, quibus quotannis, statis temporibus hyeme atque æstate exhibetur defunctis honor, tum à filiis erga parentes, tum fratribus á ceterisque erga sibi amicitiæ, aut consanguinitatis vinculo conjunctis. Quæ institutio,

eo expressè tantum animo facta est, ut ea ratione exprimetur, quantum potest summus in propinquos affectus.

De tabellis illis, quas erigunt avis et majoribus suis, dicimus eas non ideo erigi, quod credant defunctorum animas in iis residere, vel ut fausta ac prospera ab eis petant; sed coram illis tabellis, dapes apponunt, et oblationes faciunt, tantum ut in ipsis quasi vivis, et præsentibus, amorem et reverentiam deferentes, eo pacto demonstrant constans, ac perpetuum stirpis suæ autorum desiderium.

Quod autem attinet ad sacrificia, Cælo offerti consueta, à priscis regibus, et imperatoribus, sunt ea ipsa quæ philosophi Sinæ vocant *Kiao Xe:* hoc est, sacrificia Cælo, et terræ dicata, quibus ipsum *Xam-ti*, seu Supremum Dominum coli dicunt; etiam, pariter ob rationem, tabella, coram qua ea sacrificia offeruntur, præfert hanc inscriptionem *Xam-ti*, hoc est Supremo Domino. Unde manifestum est, hæc sacrificia non offerri Cælo visibili, aut materiali; sed speciatim Cæli, terraque ac rerum omnium Autori, ac Domino, quem præ timore summo, ac reverentia, cum non audeant proprio nomine appellare; Cæli supremi, Cæli benefici, ac Cæli universalis appellatione invocare solent: quem admodum

ubi loquuntur cum reverentiâ de ipso imperatore, suæ reverentiæ causâ, imperatoris appellatione, dicunt, " infra ejus Throni gradus," aut " Supremam Palatii aulam" appellunt, quæ appellationes cum sint diversæ quoad nomen; reipsa tamen, quoad rem nomine significatum, sunt planè unum et idem.

Hinc similiter manifestè patet tabellam illam honorificam, nobis olim ab imperatore concessam, in qua propriâ manu has voces scripsit, *Kim-tien*, Cælum colite, revera fuisse in hunc eundem sensum datam.

Nos homines exteri, ac subditi imperatoris, cum simus ejusmodi rituum parum periti, ignoremusque an scriptum hoc, cum veritate concordet, necne; reverentur supplicamus, ut nobis, super ea re digneter Regia documenta impertiri, et responsum si in aliquo aberret à vero Sinarum sensu dare. (His perlectis, et attente consideratis ac perpensis, imperator in hunc modum respondit linguâ Tartarâ.)

Quæ in hoc scripto continentur, optime scripta sunt, et planè concordunt cum magna doctrina. Cælo, Dominis, parentibus, magistris, ac proavis, debita obsequiâ præstare, ista orbi universo communis est lex. Ea quæ in hoc scripto continentur, verissima sunt, neque egent ulla prorsus emendatione.

NOTE

RELATIVE TO THE

Catholic Missions in China,

OBTAINED IN 1793*.

LIST OF THE EUROPEAN MISSIONARIES AT PEKIN.

In the great Portuguese church, called Nan-tang.

Alexander Govea, bishop of Pekin, aged forty-four years—he came to China from Lisbon in 1784, and entered into the service of the emperor as an astronomer; in 1787, he was promoted to a seat at the Board, or, as the missionaries translate the Chinese word, the Tribunal of Mathematics, and created a mandarine of the sixth order, which wears a milk-white bead or button on the cap.

* This memorandum of the state of the Catholic Missions, about the year 1792, was procured by Lord Macartney, at the period of his embassy.

Bernard Joseph Rodriguez, an ex-jesuit, aged sixty-nine years, came to China, and entered into the emperor's service under the title of astronomer and physician. He is a mandarine of the third order, which wears an opake blue button on the cap, and is the second member of the college, or board of mathematics.

Antonio Della Purificazione, a franciscan, aged about fifty years.

John Pinto, a minorite, aged twenty-four.

Francis Collado, aged nineteen, born at Macao.

N. B. These three last came to Pekin in 1792.

The lesser Portuguese church, called Tung-tang.

Andrew Rodriguez, an ex-jesuit, aged sixty-seven years, came to Pekin in 1757, is president of the board of mathematics, and a mandarine of the fifth order, which wears a chrystal button on the cap.

Roderick della Madre di Dio, aged thirty-four years, came to Pekin with the bishop Govea in 1784.

The French church, called Pe-tang.

Nicholas Raux, a lazariste, aged about forty years, a native of the province of Hainault, came to Pekin in 1785, and entered into the service of the emperor in quality of a mathematician.

John Ghislain, aged forty, a native of Austrian-Flanders.

Joseph Paris, born at Paris, a layman, aged fifty, entered the service in quality of a mechanist and watch-maker, and is a mandarine of the sixth order.

Joseph Grammont, born in France, an ex-jesuit, aged sixty, came to China in 1769, and entered into the emperor's service as a musician and mathematician.

Lewis Poirot, born in Lorraine, but educated at Florence, an ex-jesuit, aged fifty-eight years, entered the emperor's service as a painter, in 1773, and is a mandarine of the sixth order.

Joseph Panzi, a lay ex-jesuit, aged sixty, a native of Ancona, entered into the service also as a painter, in 1773, and is a mandarine of the sixth order.

The famous father Joseph Amiot, French ex-jesuit, died soon after Lord Macartney's departure from Pekin, in October, 1793, aged near eighty years.

The church of the Propagandâ, called Si-tang.

Anselmo di Santa Margarita, a Roman, aged forty-four, entered into the emperor's service as a physician in 1784.

Peter Adeodato, aged thirty-seven, born at Naples, entered the service in 1784, as a watch-maker and mechanic, and is a mandarine of the sixth order.

Emanuel Conforti, born at Genoa, aged thirty-nine years, entered the service as a watch-maker in 1785.

Romoaldo Hosielski, a native of Poland, aged forty-four years, entered the service as an astronomer, in 1783.

James Ferretti, born at Tortona, aged forty-five, was arrested in *Shan-si*, at the time of the persecution in 1784, but was permitted by the emperor to reside at Pekin, at the convent of the Propagandâ.

John Baptist Marchini*, *Secolare in Communità*, born at Tortona, has the care and super-

* This highly esteemed and venerated ecclesiastic is still living, and resident at Macao.—While his liberal conduct and conciliating manners have gained him the general esteem of the Europeans in China, who are not of his communion; his zeal and indefatigable exertions in the service of the missions have, in a peculiar degree, endeared him to the members of his own church in that country. 1821.

intendance of the missions in China, and was appointed to that duty by the college of the Propagandâ at Rome, and is styled the procurator-general and protonotary. He has been thirteen years resident at Macao. His predecessor died in prison at Pekin.

The missions of China are divided into three dioceses, and three apostolical vicariats. The first are of Macao, Pekin, and Nankin. The nomination to these epispocal seats, which are suffragans to the archbishop of Goa, belongs to the king of Portugal, who has endowed them by giving an allowance of about 1500 dollars to each ℔ annum.

The diocese of Macao comprehends the two provinces of *Quang-tung* and *Quang-si*, and the isle of *Hai-nan*. In the latter, there were formerly many christians, but at present there is no mission in it. In *Quang-si* there are some christians, on the borders of Tonquin: but they are more numerous in the province of Canton, in which are two European and four Chinese missionaries.

The diocese of Pekin includes the province of *Pe-che-li*, *Chan-tong* and *Leao-tong*, in which are some Chinese priests. The two provinces of *Kiang-nan* and *Ho-nan* form the diocese of Nankin, in which are three or four Chinese

priests. The diocese of Nankin having had no bishop since 1787, is at present administered by the bishop of Pekin.

The three vicariats are *Shan-si*, *Sechuen*, and *Fo-kien*. The apostolic vicars, who are usually bishops *in partibus*, are named by the cardinals of the congregation of the Propagandâ, upon which they depend, and are immediately subject to the Holy See. The apostolic vicar of *Shan-si* is usually an Italian, and has the care of the christians of *Kan-siou*, *Shan-si*, *Shen-si*, and *Hu-quang*, and is supported and maintained by the Propagandâ, as are all the other missionaries of this vicariat, except the three lazarists of *Hu-quang*, who receive their pensions from the French church at Pekin. In this vicariat there are at present five European and nine Chinese priests.

The father Letondal, a secular priest of the seminary of foreign missions at Paris, is procurator of the missions of *Sechuen*, and resides usually at Macao.

The apostolic vicar of *Sechuen* is a Frenchman, belonging to the seminary of Paris, from which he received the pension, like the other missionaries of this vicariat; who are at present six Europeans, and eight or ten Chi-

nese, dispersed through the three provinces of *Sechuen*, *Yun-nan*, and *Quei-cheu*.

The father Corrybio, a Spanish dominican, has the care of the missions of *Fokien*, and resides usually at Macao.

The apostolic vicar of *Fokien* has the care of the christians of *Che-kiang* and *Kiang-si*, and is maintained by the king of Spain, as are the dominicans who labour in these missions. At present there are five Europeans and four Chinese in this vicariat.

The Propagandà expend annually in these missions of China about seven or eight thousand Spanish piastres; an equal sum used also to be sent from the seminary at Paris, for the missions which it maintained in the Chinese empire and the adjacent kingdoms.

The number of christians in China is not precisely ascertained, but is computed at about 160,000 to 170,000 souls. In the neighbouring kingdom of Tonquin, they are more numerous, being not less than 200,000. There many villages are to be found of six or seven thousand inhabitants, in which the ecclesiastical functions are publicly performed in the same manner as in Europe. Two vicars, named by the Propagandà, have the manage-

ment of this mission; one is usually a Spaniard, maintained by the king of Spain, and the other a Frenchman of the seminary of Paris. Those of Cochin-china, and of Siam, are Frenchmen. In the kingdoms of Ava and Pegu there are Italian missionaries, and an apostolic vicar maintained by the Propagandà, which also supports the capuchins of Thibet, and the carmelites of Malabar, and Mogul empire.

It may easily be supposed that, at this distance of time, not more than two or three of the individuals named in the preceding long list of catholic missionaries, are still living, and in China. Their numbers have been reduced since 1792, not only in the ordinary course of nature, but by successive persecutions, in the course of which, some of them have been beheaded, and several expelled the empire. The Editor understands that three out of the four authorized establishments at Pekin have been altogether suppressed, leaving only two or three Europeans in one of the Portuguese houses, to assist in the astronomical calculations of the Imperial Calendar. By a letter,

however, received from one of the expelled missionaries, dated at Macao, in Feb. 1821, it appears that the French mission is at present applying to the Chinese government for permission, either to withdraw their property and effects from Pekin, or to re-occupy their former establishment there; and that they entertain sanguine hopes of one or other of these alternatives being granted to them.

The following general view of the state of the Catholic Missions in China, and the adjacent countries, in the year 1810, was communicated to the Editor by the Rev. I. B. Marchini, in June, 1811.

Name of th over which th	Numbers of stians.	Name and Title of the Bishop, or Vicar-general.
Quang-tong,	exclusive of of Macao	Fr: Francisco de W. S. de la Luz, of the Order of St. Francis.
Pechelee, S and E	,000	Fr: Joaquim Saraiva, of St. Vincent's di Paolo.
Kiang N	,000	Fr: Caetano Perez.
Fokien, For K	,000	Joze Calvo, B. of Millo. Roque B. Carpina, of Tebutan.
Sechuen, Qu	,000	Gab. Dufresse, B. Tabraca Jean Florens, B. Zela.
Shansy, *She quang*, an	,000	Luis des Signa, B. Anthedon.
Easter	,000	Ignacio Delgado, B. Melipotamen
West	,000	Santiago Benj. Longez, B. Gortine. C. Dela Mothe, B. Castoria.
Cochin China, a	,000	Juan Sebartotte, B. Veren.
Siam, Qued S	,000	Antonio Garnaud, B. of Melitopolis.
	,000	

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and goods that pass to and fro. The soil produces neither rice, salt, nor vegetables, all which are sent to them from the interior.—Within the town, a European officer presides, with a rank similar to that of our governors of provinces. All the government edicts and communications are explained to them through the medium of an interpreter. One of their peculiar customs is to salute by taking off the hat. We receive from them in trade the articles of ivory, amber, coarse and fine woollen cloths, red wood, sandal wood, pepper, and glass.

The foregoing statement, short as it is, is incorrect in many particulars; at least, as applied to the present state of the settlement.—There is a very considerable Chinese population upon it, which probably out-numbers the European settlers, in the ratio of at least two to one, and the soil is by no means wholly barren, but produces rice and vegetables in a fair proportion to its extent; but, of course, not adequately to the wants of its numerous population. The Chinese statement may, probably, however have been true, at the time it was orignally made, and afterwards carelessly reprinted in every successive edition of the work, without reference to the change of circumstances.

TRANSLATION

OF A

Chinese Dispatch sent to Russia,

the 21st January, 1789*.

From the Tribunal of Directors of the Inland Provinces of the Great Taychinsky (Chinese) *Empire, to the Russian Senate.*

Our Van Palbany, residing at Urga, for the frontier affairs, having informed our tribunal that he had received a dispatch from your senate, by your lieutenant-colonel Ivanoff, we have presented it to our great and most wise emperor. The following is the reply proceeding from him:—

* This translation of a Chinese Dispatch to the Russian government was communicated many years ago to the Editor; he has not had an opportunity of seeing the original document, but has no reason to doubt the authenticity of the translation, and he has therefore ventured to insert it in this place, as a curious specimen of Chinese diplomatic correspondence.

In this, we observe, the Russian senate confirms its former dispatch—deceiving us, as before, concerning the head thief Ulaldskay, and his companions. The fault is acknowledged and palliated, but there appears the same duplicity as formerly. We therefore command the directors of the tribunal of frontier affairs, to write a clear, plain, and intelligible dispatch to the Russian senate.

Obeying this command with respect, after examination into the case, it is found: That should a thief, belonging to either nation, be discovered on the frontiers, he is to be examined in their joint presence, and, if guilty, punished with death. This stipulation was agreed to by the commissioners (Ambani) chosen from both sides, sealed and mutually exchanged in the 33d year of the reign of our heaven-enthroned emperor. It is kept in the register of our tribunal, and among the papers of your senate, and has always been fulfilled, except by your Ambani.

You may now say, it is contrary to the laws of the Russian empire to put a man to death; this is a deceit, and indeed how can such laws exist. Since the beginning of time there certainly never was an empire, whose laws ordered men to bė killed, but a man acting

against the law punishes himself, and becomes worthy of death. Capital punishments you now say are unknown in Russia; why did you not recollect this in the 33d year, when we made the treaty, and you agreed that thieves of either nation should be executed. It seems it did not come into your heads then, for you said nothing about it.

Pursuant to this law in the 44th year, two men, *Gemphill* and *Kolushank*, of the families of *Natosolonsk* and *Banurmay*, who stole eleven horses from you, were examined in the presence of both parties, condemned and executed. You should then have represented to us your law, have saved their lives, and only punished them with whipping and exile; but you were silent, and *Gemphill* and *Kolushank* were executed in your presence.

Our great empire acting eternally according to law, and the faith of treaties, did this, not for the preservation of friendship, but from the love of truth, which it greatly esteems, and wishes always to follow; but you, not executing the thief Ulaldskay, break the laws of friendship and the faith of treaties.

In your dispatch you say, capital punishments are abolished in Russia, and delinquents only whipped and sent into perpetual

slavery, but this is still more contrary to reason, for we think that if such change had taken place, you should have asked, if in the concerns with us, we agreed to it, and if we did, these men should have been brought and punished on the borders in our joint presence, but you did not do this with Ulaldskay and his companions; you only tell us they have been whipped, and sent into slavery for life. In this your deceit is manifest. Further, you say the head thief Ulaldskay is dead in slavery; this may perhaps be true; but there are still left the great thieves, *Yperneay*, *Gasseu*, *Kethin*, and the thieves *Mentz* and *Platun;* what hinders these being brought to the frontiers, and punished in our joint presence? You tell us, in your present dispatch, that they are all dead, and the affair of course ended, but whom do you deceive? you really are very false.

Shall we believe that, in consequence of your new laws, your former government did not put any one to death, and only punished with whipping and slavery: Let it be so, yet still this should have been inflicted in our presence. Having failed in that particular, do not you acknowledge your former governor in fault, and guilty of misconduct? Your

senate thus giving perpetual false excuses, and clearing the conduct of your late governor, only troubles both sides; for our great empire, perceiving that you wish to act according to your own will, by the obstacles you throw in the way, and your duplicity, will on no account permit the trade to be opened. Although our two empires border upon one another, yet our empire may call itself the elder brother.— Thus, holding in the rank of empires the place of elder brother, and having, at your requisition, and in your presence, punished Gemphill and Kolushank with death, while you now refuse us the same satisfaction against your people, were our great empire including all the universe to submit to this, do not you think posterity would to all eternity laugh at us!

To be short; let Ulaldskay be dead, there remain the other thieves, they must be brought to the frontiers, and punished in our joint presence. If it be true that they are all dead, then your former governor must be sent to the borders, as one guilty of misconduct; he must there be punished in our presence; the trade may then recommence; but if you do not punish the thieves, nor your governor,

but make useless excuses, you may depend upon it, the trade shall never be opened again.

If, therefore, you esteem truth, the faith of treaties, or the laws of friendship, you will, though with concern, punish your governor for his fault and misconduct; but with your perpetual excuses, and duplicity, we see this affair will not be ended these hundred years. Although the trade shall not be opened, yet our great empire will not, for such a trifling cause, break the bands of friendship in any other manner, than by this prohibition. And you, on the receipt of this dispatch, ponder well, examine, and consider this act, as you find proper, fit, and beneficial.

Thus much to you, from our heaven-enthroned emperor, in the fifty-fourth year, 2nd month, and 2nd day of his reign*.

* It can hardly be necessary to caution the reader against hastily condemning the Russians in this case.—The Chinese are seldom at a loss to make out a plausible tale:—but, were we in possession of the Russian statement, the facts might probably appear in a light extremely different.

TABLE OF CONTENTS

OF A

Chinese and Mantchoo-Tartar Dictionary.

THE following Table of Contents is curious, as exemplifying the Chinese notions of philosophical arrangement:—The more usual, as well as more convenient method, adopted by them in the arrangement of their Dictionaries, is however according to the Primitive words, usually termed Keys, which being only 214 in number, are easily known and remembered; and the several words being arranged under their respective heads, according to their degree of simplicity or complexity, they are traced without much difficulty.

Vol. I. Heaven—1 section—Astronomy.

II. Time—1 section—Time.

Earth—1 section—Geography.

III. Kings—1 section—Kings.

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Vol. IV. Mandarins—4 sections.

Division into Banners—Distinction of Ranks —Change and Promotion—Examination and Selection.

Vol. V. Government—13 sections.

Government in general—Enquiry and Investigation—Affairs miscellaneous—Errors and Mismanagement—Consultation and Management—Official Duties—Order and Routine—Contradictions and Disputes—Litigation—Fines and Punishments—Infliction of the Bamboo—Pardoning—Encouragement and Consolation.

Vol. VI. Rites and Ceremonies, 9 sections.

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Soldiers—Defence—Attack—Bowmen on foot—Bowmen of the Cavalry—Horsemanship—Military Exercises—Hunting—Sporting Dogs and Falcons—Military Weapons—Manufacture of the same—Bows and Arrows—Saddles—Bridles.

Vol. X. to XVIII. Man—106 sections.
Man—Connections—Relations—Friends—Ages—Personals—Countenance—Character—Happiness—Riches—Filial Piety—Brotherly Love—Justice—Fidelity—Wisdom—Honesty—Esteem—Respect—Affection—Frugality—Diligence—Valour—Reputation—Praise—Question and Answer—Inspection—Audit—Summons—Investigation—Urgency—Procrastination—Reliance—Giving and Taking—Aid and Protection—Adjustments—Distribution—Transfer and Delivery—Failure and Insufficiency—Solicitation—Nurture and Education—Childbirth—Joy—Love and Pity—Mirth—Play—Poverty—Borrowing and Lending—Hunger and Thirst—Suffering from cold—Hatred—Sorrow—Remorse—Weeping—Anger—Fear—Speech—Pronunciation—Manifestation and Concealment—Sitting and Standing—Walking—Rest—Going and Coming—Fatigue—Sleep—Expedition—Retardation—Trans-

mission—Movement—Taking up and Letting go—Rejecting or Dispersing—Meeting—Envy and Aversion—Injury and Opposition—Contempt and Derision—Revenge—Reprehension—Ill-treatment—Abuse—Disloyalty—Desertion—Theft and Robbery—Sickness—Pain—Boils and Eruptions—Tumours and Inflamations—Wounds—Deformities and Defects—Excess and Irregularity—Sensuality—Suspicion—Pride—Arrogance—Violence and Insult—Imbecility—Stupidity—Accident and Inadverteney—Shame—Cruelty and Severity—Idleness—Dilatoriness—Deception—Artifice—Flattery—Wickedness—Avarice and Extortion—Uncleanliness—Cheats and Jugglers—Importunity—Rusticity—Ablution—Exsiccation—Madefaction—Elevation—Gyration—Completion and Conclusion—Pronouns—Miscellanea.

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Ships 1 section—Ships.

Carriages 1 section—Carriages.

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Vol. XXXII. Fishes and Scaly Animals, 4 sections.
Dragons and Serpents—River Fish—Sea Fish—Scales, Shells, &c.

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Worms—Habits of ditto.

NOTE

ON

THE PLEASING HISTORY,

A Translation of a Chinese Novel.

The above work, which is the only translation of an entire Chinese Novel we possess in the English, or, indeed, probably in any European language, we owe to the late Dr. Percy, bishop of Dromore. It was edited from a manuscript partly English, and partly Portuguese, supposed to have been written in China early in the last century, by a gentleman of the name of Wilkinson.

Dr. Percy's translation of the latter part from the Portuguese, his correction of the whole for the public eye, and the copious illustrations he has added from the best authors of the time upon China, have placed this little work before the public in a very interesting from; and, as conveying a lively and just picture of the state of manners and

society in China, it is certainly quite unrivalled. It will also prove of considerable use to the student of the Chinese language in his perusal of the original work, though it is not so literal as to remove all his difficulties. The original Chinese text is not written in the *ouen-tchang*, or style of professed fine writing, but in that of polite conversation in the upper classes of society.—It is therefore much more easy of access, and is more practically useful to the learner, than the regular Chinese classics; while the amusement, which it is calculated to afford, may serve to beguile the labour of the student in decyphering it.

The following is a nearly literal translation of the opening of the work:—

"It is recorded, that during a former dynasty, there was, in the city of *Tu-ming*, in the province of *Pe-che-lee*, a student, whose family name was *Tieh*. His personal appellation was *Ching-yu*, and his adopted name *Ting-sing*. His features were so graceful and pleasing as to resemble those of a beautiful woman, on which account he acquired a nick-name in the neighbourhood, and was familiarly called the pretty lady *Tieh*. At the same time that we remark the beauty and gracefulness of his

person, we must add that his manners were no less affable and pleasing; but it was surprising that, with all this, his disposition was distinguished by an iron inflexibility, almost amounting to obstinacy. He was easily irritated by opposition, and the roughness and impetuosity of his temper, whenever it did burst forth, was not easily to be pacified or subdued. There was also a seeming absurdity in his conduct; for he was accustomed to receive his rich and powerful friends with coldness, and to take offence at the least omission on their parts; while his poor and humble acquaintance, he always readily recognised and associated with—regaling them with wine, and entertaining them the whole day with his conversation without seeming to be tired of their company. One amiable quality was certainly conspicuous in him—that of relieving all those, whether noble, or ignoble, wise or ignorant, who applied to him for assistance under any difficulty or distress; but he would turn from them, when they came again to praise him, or thank him for his bounty. Though so many thus shared his benevolence, few ever durst approach him, who were not in some way deserving of it.

* * * * * * * * * * * * * * *

Prose Translation of three of the Mottos of the Chapters.

I.

To die for his king, is the noblest act of a faithful minister.

To grieve for his father's loss, is the last duty of a pious son.

Though the dispositions and inclinations of mankind unite them a hundred different ways;

Yet the ties which bind them in the Five relations surpass them all.

II.

Let not the wicked and deceitful boast of their prudence and sagacity:

Who knows but their designs may be discovered, when they least think of it.

Be advised, Friend: concealment from the eyes of man will not suffice.

There is a Power above that watches and overlooks thee.

III.

He possessed the exterior appearance of talent, but wanted judgment.

When business occurred, he was tardy and undecisive.

Yet he would not listen to the advice of others, but trusted in himself.

Thus his good qualities were no match for his faults.

NOTE

ON

The Chinese Language and Character.

It is more than probable, that in consequence of the want of an alphabet to fix the sounds of the Chinese language, the present enunciation of the words is totally different from that which was originally in use upon the first settlement of the country. Supposing the language to have been originally polysyllabic—yet, the ideas being represented by symbols, having no reference whatever to the pronunciation, the changes in the language might be extended to every conceivable variety and form of speech, without any traces of such variation remaining to testify it. It is probable that, at first, the characters invented, and in use, were but few. These, they would, of course, find little difficulty in distinguishing by monosyllabic names. These *names*, then, have perhaps survived and usurped the place of the original language of the country:—It is pretty certain, that a much greater variety

of syllabic sounds was in use formerly than at present—We find upwards of four thousand distinct syllables noticed in the emperor *Kang-hee's* Dictionary, although not so many as fifteen hundred can be recognised as essentially different at present.

As the art of writing advanced towards perfection, the number of characters was, of course, increased—it became necessary either to deviate from the original plan of giving monosyllabic names to characters, or to repeat those already in use. As they adhered to their monosyllables, they at length arrived, after subdividing them by means of tones and aspirates, at the present state of the language: a vast body of characters, whose vocal names are comparatively few. In writing, this produces no confusion—though the same words, when spoken or read aloud, would be equivocal and often unintelligible. Hence has arisen the present very material distinction between the written and the spoken language of the Chinese. In the latter; although the monosyllabic names of the characters are still used to convey the idea represented by them, they are rendered very frequently polysyllabic in effect, by the addition of particles to prevent ambiguity—thus, in the commonest words—

Je, the sun, becomes *Je-teou*:—*Yue*, the moon, *Yue-leong*—*Yee*, a coat, *Yee-foo*—*Mao*, a hat, *Mao-tse*—*She*, time, *She-heou*.—Sometimes they drop the proper word, or not having one, adopt a circumlocution—as trade, *May-may*—that is, buying and selling—compass, *Ting-nan-tchin*, south-pointing needle—telescope, *Chen-lee-tching*, thousand-mile glass, &c.

The best translations must be defective—The Chinese word is perhaps a very expressive one—The corresponding word in English, is either much less so—and therefore tame and insipid, and incapable of doing justice to the original; or it is equally expressive, but not exactly in the same way as the word in the original, and so far causes the translation to be unfaithful—This dilemma may be avoided by a circumlocution—but then the peculiar style and manner is entirely departed from. Then, as to metaphors—one which is extremely happy in the original, may be very trite and vulgar in English—or it may be so remote and obscure in its allusion, as to be almost unintelligible—or, what is worse, it may convey a totally different idea—as for instance, a Chinese, speaking of the qualities of the heart, generally means those which we should rather term intellectual or of the mind.

Notices of Chinese Books.

THE *Tang-leu*, or Laws of the Dynasty of *Tang*, edited in A. D. 654—direct, that foreigners, in respect to disputes among themselves, should be governed by their own laws —but in respect to disputes with natives, or with other foreigners of a different nation, by those of China.

The *Ta-ming-chee-shoo*, or Laws of the *Ming* Dynasty—direct, that foreign Kings should receive the emperor's letters *kneeling*.

King-ping-moey, a Novel.

Table of Contents.

Preface—laudatory and explanatory—dated in the reign of *Kang-hee*.

List of the most remarkable passages in the Novel.

Explanation of some peculiar phraseologies.

Miscellaneous remarks—*Sy-meng-king*, the hero, is very rich, and marries six wives.

Digression on piety to parents.

Defence of the Novel from the charge of licentiousness—this is an *expurgata* edition.

List of the dramatis personæ.

Further preliminary remarks.

Table of contents of the hundred chapters.

Portraits of the chief heroes and heroines, being twenty in number.

Renaudot's Ancient Accounts of India and China; being a Translation of the Journals of Two Mahomedan Travellers in the Ninth Century.

NOTE.

This is certainly a curious book, not only on account of some peculiar facts which it ascertains, but generally as containing by far the earliest accounts which we possess, from the pen of a foreign traveller, of the Chinese nation. At the same time, these narratives, it must be allowed, are not altogether so interesting or important as might have been expected—They are for the most part so vague and inaccurate in point of detail, that owing to the change that has taken place in most of the names, very few of the places described can with certainty be recognised. And although there is in many places internal evidence of the genuineness of the manuscripts, from the coincidence of the facts stated, with many customs and peculiarities still subsisting in China, and in such an indirect way, as would hardly occur in a forgery; yet, on the other hand, there are absurdities

and incongruities introduced occasionally, which stagger belief, and necessarily shake the credit of these Mahomedan travellers.

Take for instance, the following paragraph respecting China:—"When any one of the princes, or governors of cities, within the dominions of the emperor of China, is guilty of a crime, he is put to death, and eaten; and in general it may be said, that the Chinese eat all those that are put to death." *p.* 33, 1st series.

The correctness of the following statement is also doubtful:—"There is no land-tax in China; they only levy so much ⅌ head, according to the wealth and possessions of the subject."

We know that neither this, nor the foregoing assertion, will at all apply to China in its present state; and although a lapse of more than nine hundred years may, no doubt, have effected considerable changes, even in such a country as China—the latter statement is still very improbable, and the former wholly incredible.

Several learned dissertations, concerning the Chinese, are subjoined from the pen of Mr. Renaudot, who translated the Mahomedan Narratives from the Arabic—but they do not appear to contain any thing very useful or important.

Eloge de la Ville de Mougden, Poëme composé par Kien-long, *Empereur de la Chine, traduit en François, par le P. Amiot*, 1770.

NOTE.

This is probably the most perfect and complete translation of a Chinese work of fancy which we possess in Europe. Its subject, and the name of its imperial author, give it also, in itself, a peculiar title to consideration. M. Amiot appears to have spared no pains to render his translation as correct as possible; and having had the means of consulting every Chinese author that could illustrate his subject, besides possessing himself a very superior knowledge both of the Mantchoo-Tartar and the Chinese languages, he seems to have enjoyed every requisite advantage for the successful performance of his task. After all, it must be confessed that it is rather a heavy and dull production,

and one which few will take the trouble to read through, who do not take a much more than ordinary interest in the literature of the Chinese. A good deal of this arises from the almost total impracticability of doing any thing like justice to works of mere fancy, in any instance in which the habits and manners of the nation, and the structure and idiom of the language of the author, are so very widely remote from those of his translator.—If a prose translation of a poem, even under the most favorable circumstances, is considered extremely inadequate and unsatisfactory, how much more so must it necessarily be, in the present instance. It must be allowed, at the same time, that there is a good deal of solemn trifling, and pompous inanity about the Chinese compositions which are professedly literary, with which the European reader is unavoidably fatigued and disgusted. There is less perhaps on this account to object to in the present poem, than in most others of the Chinese; and it probably will be admitted even upon the perusal of it, through the medium of M. Amiot's translation, that it contains several descriptions which are really sublime and poetical, as well as simple and unaffected; but the Chinese spirit of trifling is,

in another way, pretty strongly exemplified by the parade with which *thirty-two* editions of this work, in the Chinese language, are announced to have been printed, each in a different style of character, under the authority of ancient inscriptions—and also, which is still more absurd, thirty-two other editions of the work in the Mantchoo-Tartar language, in as many different styles of character; though such varieties, having no previous example or authority to sanction them, were necessarily invented for this special purpose.

The following are fair specimens of M. Amiot's translation of this poem—The former is the conclusion of a long description of the imperial chace—the latter delicately touches upon the circumstances attending the accession of the present Tartar family to the throne of China.

" Ainsi se termine cet agreable, cet utile exercice, qui est tout-à-la-fois á l'avantage du Ciel, de la terre, et des troupes: du Ciel qu'il honore par les offrandes qu'il lui prepare; de la terre qu'il soulage, en la delivrant de tant d'hôtes inutiles ou cruels qui la devasteroient; des troupes qu'il exerce, en les accoutumant aux perils et aux fatigues de la guerre.

" Faut-il être surpris, après cela, si la victoire est le fruit de tous nos combats, si le bonheur vient toujours à la suite des sacrifices que nous offrons? Nos ancêtres ont marché sur les traces de la vertueuse antiquité. Ils ont envisagé la chasse sous les points de vue qui sont veritablement dignes du sage. Ils ont chassé pour se procurer un divertissement honnête; ils ont chassé pour assurer aux possesseurs des champs les productions de la terre qu'ils cultivoient; ils ont chassé pour empêcher que les bêtes qui peuvent nuire à l'homme, ne se multipliassent trop: ils ont chassé enfin pour pouvoir exercer leur ceremonies, et pratiquer leurs rits. Eh! qu'on ne croie pas que la chasse leur ait jamais dérobé un seul des moments qu'ils devoient ailleurs! Qu'on ne s'imagine point qu'ils l'aient faite indifféremment dans toutes les saisons! Jamais ils n'empêcherent l'utile murier de pousser sa tendre feuille, ni ceux dont elle fait la richesse, de l'aller cueillir; jamais ils ne manquerent d'ensemencer la terre, de la cultiver à propos, et de faire la recolte au tems prescrit. On ne les vit point elever de hautes murailles autour d'un vaste terrein, l'aggrandir ensuite, puis l'augmenter encore, pour en faire un parc immense, composé de ce qui servoit aupara-

vant à la subsistance du peuple. Non: les Mantchous n'eurent jamais des *Tsee-hui* ni des *Chang-lin*."—*p.* 84—87.

" C'est ainsi que ce sont maintenues la fertilité et l'abondance dans le pays, la vertu et la valeur dans les hommes qui l'habitent. Un tel pays, de tels hommes ne pouvoient manquer d'attirer sur eux des regards de predilection, de la part du Souverain Mâitre qui regne dans le plus haut des cieux. Ce Roi Suprême, qui ne s'interessoit deja plus à la conservation des *Ming*, vit avec complaisance, que tous les cœurs se tournoient d'eux-mêmes vers notre empire des *Tay-tsing:* il vit ce peuple sincere et bon, qui avoit conservé jusqu' alors la primitive simplicité de ses mœurs; il vit mes ancêtres qui, après avoir purgé tout le pays des environs des brigands qui l'infestoient, étoient appellés au secours d'un grand peuple, que plusieurs tyrans alloient faire gemir sous le poids d'un joug cruel; il vit *Ché-tsou* mon bisaïeul; il le vit; et il le choisit, pour aller remplir l'auguste trône qui venoit de vaquer. Unis, comme des freres le sont entr'eux, les Mantchous et les Chinois ont bientôt renversé tous les projets iniques des usurpateurs, ont bientôt exterminé les usur-

pateurs eux-mêmes.—A la tête d'un petit nombre de troupes choisies, *Ché-tsou* part, arrive, et avant même qu'il ait la force de pouvoir lancer un trait, il est revêtu de l'autorité souveraine, on le place sur le trône, il tient sa cour à Peking*."—*p.* 103—105.

* It has been omitted to notice that Mougden is the present capital of Mantchoo-Tartary.—The conquest of China by the Mantchoo-Tartars took place in 1644—*Kien-long* was the fourth, and the reigning emperor, *Tao-kuang*, is the sixth, of the present dynasty.

NOTE

ON THE

Chinese Court Ceremony of the Ko-tou.

THE opinion which the Ancients entertained of ceremonials of this description, seems to be pretty strongly marked in the following passages of Valerius Maximus and Cornelius Nepos.

The former acquaints us that, " Athenienses Timagoram inter officium salutationis, Darium regem more gentis illius adulatum, *capitali supplicio* affecerunt—" lib. 6, cap. 3.

The latter, in giving the life of Conon, relates the following conversation on the same subject:—

" —Seque ostendit cum Rege colloqui velle —Huic ille inquit. ' Nulla mora est: sed tu delibera, utrum colloquio malis, an per literas edere, quæ cogitas. Necesse est enim, si in conspectum veneris, venerari te Regem,' quod *Proskuncin* illi vocant. Hoc si tibi grave

est, per me nihilo secius, editis mandatis, conficies quod studes. Tum Conon, *Mihi vero*, inquit, *non est grave quemvis honorem habere regi: sed vereor ne civitati meæ sit opprobrio, si, quum ex ea sim profectus quæ ceteris gentibus imperare consueverit, potius barbarorum, quam illius more fungar.* Itaque quæ volebat huic scripta tradidit."

Thus it appears that the deputy of the little barren territory of Attica considered a *single* prostration on his part, in the presence of the Persian king, as inadmissible and disgraceful to his country. Is it then possible for us, at this day, to regret, that the performance of a ceremony infinitely more humiliating, has been refused at the Chinese court, by the embassador of Great Britain; and when (whatever might have been the difficulty of judging of the question of expediency at the moment) it *now* clearly appears, that he would have been "dedecorum pretiosus emptor," the purchaser of his country's degradation, with a pretty large sacrifice of her interests!

The writer of this is fully persuaded that his esteemed friend, the author of the Narrative of the late Embassy, who took, at the time, an opposite view of this subject, is one of the

last men to advocate any measure which he believed to be in any respect hostile to the honor or interests of his country:—But the character of the measure itself, as well as its interpretation in China, and consequently its operation upon our commercial intercourse depended so entirely upon the *animus imponentis*, the *spirit* in which it was demanded, that it was, perhaps, not possible, without some degree of local knowledge and experience, to see it at once in all its native deformity.

By far the fullest and most accurate account of the ceremony of the *Ko-tou*, is contained in the following extract from the Rev. Dr. Morrison's valuable Memoir on Lord Amherst's Embassy, published in the Pamphleteer; and the writer quotes it with the more satisfaction, not only because it proceeds from the very highest authority, but also because the author of it has been supposed, though most erroneously, to have recommended the performance of this ceremony to the British embassador.

"What are called ceremonies, sometimes affect materially the idea of equality. They are not always mere forms and nothing else, but speak a language as intelligible as words; and it would be just as conclusive to affirm,

it is no matter what words are used, words are but wind; as to affirm, it is no matter what ceremonies are submitted to, ceremonies are but mere forms, and nothing else. Some ceremonies are perfectly indifferent, as whether the form of salutation be, taking off the hat and bowing the head, or keeping it on, and bowing it low, with the hands folded below the breast; these, the one English, and the other Chinese, are equally good. There is, however, a difference of submission and devotedness expressed by different postures of the body; and some nations feel an almost instinctive reluctance to the stronger expression of submission. As for instance, standing and bowing the head, is less than kneeling on one knee; as that is less than kneeling on two knees; and that less again than kneeling on two knees and putting the hands and forehead to the ground; and doing this once, is, in the apprehension of the Chinese, less than doing it three times, or six times, or nine times. Waving the question whether it be proper for one human being to use such strong expressions of submission to another or not; when any, even the strongest of these forms, are reciprocal, they do not interfere with the idea of equality,

or of mutual independance; if they are not reciprocally performed, the last of the forms expresses, in the strongest manner, the submission and homage of one person or state to another: and, in this light, the Tartar family now on the throne of China consider the ceremony called *San-kwei-kew-kow**; thrice kneeling, and nine times beating the head against the ground. Those nations of Europe who consider themselves tributary and yielding homage to China, should perform the Tartar ceremony; those who do not consider themselves so, should not perform the ceremony.

"The English embassador, Lord Macartney, appears to have understood correctly the meaning of the ceremony, and proposed the only alternative, which could enable him to perform it, viz. a Chinese of equal rank performing it to the king of England's picture. Or, perhaps, a promise from the Chinese court that should an embassador ever go from thence to England, he would perform it in the king's presence, might have enabled him to do it.

* It is otherwise called the *Ko-tow*, which strictly denotes only once kneeling.

"These remarks will probably convince the reader that the English government acts as every civilized government ought to act, when she endeavours to cultivate a good understanding, and liberal intercourse with China; but since, whilst using those endeavours, she never contemplates yielding homage to China, she still wisely refuses to perform by her embassador, that ceremony which is the expression of homage.

"The lowest form by which respect is showed in China at this day is *Kung-show*, that is, joining the hands and raising them before the breast. The next is *Tso-yih*, that is bowing low with the hands joined. The third is *Ta-tsëen*, bending the knee, as if about to kneel. The fourth is *Kwei*, to kneel. The fifth is *Ko-tow*, kneeling, and striking the head against the ground. The sixth, *San-kow*, striking the head three times against the earth before rising from one's knees. The seventh, *Luh-kow*, that is, kneeling, and striking the forehead three times, rising on one's feet, kneeling down again, and striking the head again three times against the earth.

"The climax is closed by the *San-kwei-kew-kow*, kneeling three different times, and at each

time knocking the head thrice against the ground.

" Some of the gods of China are entitled only to the *San-kow*; others to the *Luh-kow*; the *Tëen*, (heaven) and the emperor are worshipped with the *San-kwei-kew-kow*—Does the emperor of China claim divine honors!"

Morrison's Memoir, *p.* 142.

CONSIDERATIONS

UPON THE

CHINA TRADE*.

THERE are several circumstances peculiar to the China Trade, which place in a strong point of view the extreme importance, if not absolute necessity, of continuing it substantially upon its present footing.

* These "Considerations" were originally written in the year 1813, in compliance with a request from the then president of the board of Commissioners for the affairs of India, that the author would give him his opinion on the question of the China Trade, then under discussion in Parliament.—They were also communicated, in compliance with a similar request, to the chairman of the Court of Directors, and soon after printed, among other papers, for the information of the East-India Proprietors—but not, until now, published.

As the discussion of the subject has been revived, and is again likely (under certain modifications) to come under the consideration of Parliament, and consequently of the country, the author has ventured to flatter himself that his view of it, as contained in this paper, may not prove altogether uninteresting to the general reader.

Some notes and explanations, which a change of circumstances have rendered necessary, have been subjoined: but

These are, principally, the peculiar nature and objects of the trade itself; the peculiar character of the Chinese people and government; and lastly, the peculiar measures for promoting the prosperity and security of the trade, which, however essential to its welfare, neither could nor would be taken by any, but a great commercial body, such as the existing East-India Company.

In regard to the peculiarity of the national character and habits of the Chinese, one of the most important features to be remarked is the principle of strict subordination and controul, and of the most extensive individual responsibility, which in China pervades, not only the system of government, but every relation of private life*. Thus, in the same

with respect to the particular question of the expediency of admitting British private ships to a participation in the carrying trade from China to the continent of Europe, as it was not at all in the author's contemplation, when the above remarks were written, he has preferred reserving it for a separate consideration in another place.

* The evidences of this fact abound in the Histories of Du Halde and Grosier—the Authentic Account of Earl Macartney's Embassy to China, Barrow's Travels in China, the Translation of the *Ta-tsing-leu-lee*, or Chinese Code of Laws, and, in fact, in every general work on China.

manner as the magistrate controuls and is responsible for the conduct of the inhabitants of his district, the master of each family is supposed to controul, and required to be responsible for, his relations, connections, and dependants; and however despotic and oppressive the operation of this principle may appear in our eyes, in those of the Chinese it has invariable been considered as one of the first requisites of a good government, and one of the surest tests of a civilized people.

Nothing, therefore, upon the commencement of the present commercial intercourse of foreigners with the empire of China, so much contributed to render them odious, both to the government and to the people in general, as their apparent disposition and tendency, upon almost all occasions, to a state of anarchy and disorder. The casual and unconnected adventurers who first traded to China were entire strangers to the habits, customs, and language of the natives, as well as irreconcilably different from them, in respect to all their national characteristics.

It was obvious, that to maintain order amongst such persons, and to regulate their intercourse with the natives, the ordinary rules and routine of Chinese justice would be,

in most respects, utterly inadequate and inapplicable. As far, also, as the Chinese were enabled to judge, these foreigners were wholly without any internal government, or system of controul and subordination, peculiar to themselves, which might have been capable of supplying the place, or, at least, of coming in aid of the national laws; and which might, accordingly, have been accepted by the local authorities in China, as a sufficient substitute for those laws, in all cases in which their partial suspension or relaxation in favour of strangers was found unavoidable.

Under the existing circumstances, therefore, the Chinese government deemed it necessary to supply the deficiency, by the enactment of various new regulations and restrictions; and these were framed, as might naturally have been expected, with little regard to the feelings or interests of individuals who were not yet sufficiently powerful and united to command respect, nor sufficiently guarded and blameless in their general conduct, to overcome prejudices and conciliate esteem.

Thus, although the Chinese government did not absolutely prohibit foreign commerce, they resolved to provide against every hazard of ill consequences from its toleration,

by the adoption and enforcement of the most jealous and vexatious precautions.

By the strict letter of these regulations, the continued residence of foreigners in China, from year to year, was totally forbidden; and during even the short period for which they were allowed to remain on shore, for the necessary purposes of their trade, they were required strictly to confine themselves to the small district which was allotted to them in the suburbs of the city of Canton.

As a further security against turbulence and disorder, it was ordered that all foreign ships should be disarmed, upon their arrival, of their guns and other warlike stores, and that such articles should be retained in the custody of the government during the stay of the ships in port, and restored only at the moment of their departure. This order, although it has probably been but seldom enforced, and that only at a very early period of the trade, appears nevertheless to this day unrepealed upon the Chinese statute books*.

* In a printed collection of the Edicts of the emperor *Kien-long*, there is one which quotes this order; and, after animadverting on its neglect, directs that it may be duly enforced in future.

Instead of foreigners being permitted to engage in any thing like a free trade and intercourse with the natives generally, the whole of the foreign trade at the port of Canton was specially limited to ten or twelve Chinese merchants; and these merchants were required, in return for the licences granted them, to undertake, jointly and severally, the most extensive responsibility to the government, not only for the due payment of all the duties and port charges to which the foreigners might render themselves liable, but also generally for their orderly behaviour and good conduct.

Besides these licensed merchants, a few other persons were permitted to attend upon foreigners, in the capacity of *linguists* (interpreters) or *compradores* (victuallers); but with the exception of these persons and the individuals in their immediate employ, the natives in general were withheld, by the denunciation of very severe penalties, from either frequenting the houses of foreigners, or holding any species of intercourse with them.

On the other hand, and as some compensation for the imposition of such restrictions and disabilities, it appears that foreigners have, almost from the first, been admitted

to be personally exempt, excepting only in cases of capital offences, from the direct operation of the penal code of the empire*.

The security of the property of foreigners was also, at an early period, guaranteed to them, not only by severe laws against frauds and other malpractices, but also by a special regulation for the satisfaction of their claims,

* This exemption is expressly stated in an Imperial Edict, issued in 1808, on the occasion of the trial of the British seaman, Edward Sheen:—Indeed, both the law, and the excepted case, are very fully and distinctly laid down in that edict, as follows: "In all cases of offences by contrivance, design, or in affrays happening between foreigners and natives, whereby such foreigners are liable, according to law, to suffer death by being strangled or beheaded, the magistrate of the district shall receive the proofs and evidence thereof, at the period of the preliminary investigation, and after having fully and distinctly inquired into the reality of the circumstances, report the result to the viceroy and sub-viceroy; who are thereupon strictly to repeat and revise the investigation.—If the determination of the inferior courts, upon the alleged facts, and upon the application of the laws, is found to have been just and accurate, the magistrate of the district shall, lastly, receive orders to proceed, in conjunction with the chief of the nation, to take the offender to execution, according to his sentence.—*In all other instances, of offences committed under, what the laws declare to be, palliating circumstances, and which are therefore not capitally punishable, the offender shall be sent away to be punished by his countrymen in his own country.*

See *Ta-tsing-leu-lee*, Appendix, p. 523.

either by the licensed merchants in a body, or else by the government itself, in all cases of individual insolvency.

It cannot be asserted, that these regulations for the security of the persons and property of foreigners in China, have been always found adequate and effectual, but their influence has certainly been material in mitigating the evils and inconveniences to which foreigners have, in other respects, been subjected; and, indeed, without their operation in a certain degree, the European trade to China must necessarily have long since been abandoned.

When the above sketch of the restrictions and disabilities, originally imposed upon foreigners and foreign trade in China, is compared with the actual state of things, in these respects, in that country, it will be perceived, that several changes have taken place, which are not a little satisfactory, as well as important.

Some, indeed, of the objectionable regulations, it must be acknowledged, are still subsisting in full force; but the greater number have been, at different periods, either expressly repealed, suffered to become obsolete, or modified in practice, in a manner so judicious and beneficial, as to render their ultimate

effect upon the trade rather advantageous than otherwise,

This beneficial change is, perhaps, chiefly perceptible, in the increased facility and expedition with which the trade generally is at present carried on; and the infinitely more advantageous and honourable terms, upon which all differences, when such have arisen between the Europeans and the Chinese, have been negotiated and adjusted*. The fact, however, may be easily illustrated, also, by particular instances. Thus, the ships of foreign nations have long ceased to be required

* This is strongly illustrated by a comparison between the proceedings in the case of the gunner in 1784, and the seaman in 1807.—In both cases, (however otherwise differing) a foreigner, who, according to our notions, was certainly not guilty of murder, was held responsible for the death of a native.—In the former case, the accused was delivered up to the Chinese, and suffered death. In the latter, he was not only not delivered into their hands, but, in the end, sent away to his native country, with their express acquiesence.

The discussions which took place in China, in 1814, the year after the remarks in the text were written, furnish another illustration of them—Although, owing to circumstances upon which it is needless in this place to enlarge, the contest was a very severe one, both the result of the negotiations, and the principles upon which they were carried on, were far more honorable and advantageous to us, than in any previous instance of the kind in the history of our trade to China.

to surrender up their means of defence: the permanent residence of foreigners, from year to year, at Canton, is no longer objected to: their intercourse and ordinary communications with the different classes among the natives, though still, no doubt, embarrassed with obstacles and restrictions, are considerably more open and free than formerly; and of late, it may be added, advances have been made at Canton to a direct and confidential intercourse with the representatives of the East-India Company, by the government itself, which, if suitably improved, may well be expected to lead to very important results*.

* These advances were made in 1811, by the then viceroy of Canton, *Sung-ta-zhin*, who had been previously well known to the English, and indeed had proved a personal friend to the late Lord Macartney, upon the first British embassy.—During the short period of six months, in which he held the office of viceroy of Canton, he invited the chief British authorities there to nine several conferences, gave and accepted entertainments, and evinced generally a disposition, which seemed fully to justify the hopes expressed in the above paragraph. Indeed, it seems fair to conclude that, if this opening to an intercourse with Pekin, could have been *suitably improved* at the time, these hopes might, in a considerable degree, have been realized—for *Sung-ta-zhin*, immediately after his recal from Canton, was promoted to a post of high confidence about the person of the emperor, the duties of which he continued to discharge until within a few months only, of the arrival of Lord Amherst's embassy.

But, upon this part of the subject, it cannot be necessary to enlarge. It must be notorious to every one, who is at all acquainted with the history of the foreign, and more especially, the British trade to China, that in spite of every difficulty, and occasionally of occurrences of the most untoward nature, it has been advancing in a regular and almost uninterrupted course of improvement for the last half century.

What then, it will naturally be enquired, are the causes of this progressive amelioration in the circumstances of our commercial intercourse with the Chinese people?—It will hardly be imputed to the removal or abatement of any of the ordinary grounds of the jealousy and suspicion entertained by the Chinese, in respect to foreign nations in general. These feelings of the Chinese, in regard to foreigners, so far from having been likely to subside, have been, and necessarily continue to be, subject, on various accounts, to constant and increasing provocation. Instead of the trade being carried on, as formerly, by a few small vessels, and by a limited number of unconnected and unprotected individuals, it now occupies the tonnage of large and well-armed vessels, having on board, and bringing annually to the Chinese coasts some thousands

of foreigners, in the several capacities of mercantile agents, marine officers and sailors; and a very great proportion (perhaps nine-tenths) of this powerful and respectable body of men is now known to the Chinese to be avowedly subject to one head, and consequently ready and united, under that authority, for all purposes, either of offence or defence.

Instead of the appearance of armed vessels of any description continuing to be a rare and remarkable occurrence, the entrance of the river of Canton has latterly become, from the necessities of war and other causes, almost a regular naval station. British ships of war now visit the Chinese coasts at all seasons, and they have, in some recent instances, exercised the rights of search, and otherwise displayed their power, almost within the range of the Chinese batteries: and, what precludes the possibility of the Chinese government having remained in ignorance of these proceedings, it is known, that harsh and aggravated representations, on the subject of British interference, were formally made on those occasions to the principal authorities at Canton, both by the Portuguese and by the Americans*.

* The year after the above remarks were written, an unfortunate circumstance occurred of an attempt, which was

Again, instead of the foreigners, who engage in the China trade, continuing to be, as at first, without any ostensible support or countenance from the countries from whence they came, and supposed accordingly by the Chinese to have scarcely any other homes beside their ships, the greatest portion, if not the whole of the foreign trade, is now known by the Chinese to be subject to, and to be under the vigilant protection of the sovereign of a great and powerful nation.

Indeed, however generally ignorant and unmindful the court of Pekin may be supposed to be in regard to foreign transactions and remote events, the reputation of our arms, both in India and the Eastern Archipelago, has of late been carried to such an height, that it would seem to be impossible for the Chinese government to have remained insensible to it.

besides unsuccessful, to cut out an American vessel, lying in the river of Canton, and considerably within the admitted range of Chinese neutrality.—There is great reason to believe that this act, together with the frequent cruizing of our ships of war on their coasts, was considered by the Chinese, not merely as a national affront, but as actually connected with some ulterior schemes for an hostile invasion of their territory.—A ridiculous report was even circulated at the time, at Canton, that the British forces, which had recently landed in America, and destroyed the city of Washington, were destined ultimately for the coast of China, upon some similar service.

But even if this could be supposed; if the various evidences of our power and reports of our successes, that have found their way over every part of the East, can be imagined to have failed to excite the suspicions and alarms of so jealous a government; recently, at least, the Chinese have had experience of our warlike means and resources, in a way which is quite unequivocal, and which in their eyes, must have been, of all others, the most striking and impressive. The circumstance here alluded to is, of course, the forcible occupation and retention by a British force, during the last three months of the year 1808, of the settlement of Macao, in absolute defiance of all the local forces and authorities, Chinese as well as Portuguese*.

* The circumstances of this expedition have, in a Pamphlet published in 1813, been made the foundation of a charge against the Company and their servants in China—To this it may be sufficient to answer, that the measure was wholly a political one, and entirely to be attributed to the then political circumstances of Europe, which gave occasion to our temporary occupation of almost all the Portuguese colonies. Instead, therefore, of the present system of trading as a company being responsible for the Macao expedition, it is most probable that nothing but the great confidence the Chinese had been in the habit of placing in the Company and their servants, prevented the breach, which that measure unfortunately produced, from proving irreparable.

Yet, even on this very trying occasion, the Chinese evinced a degree of placability and forbearance, which few persons, acquainted with their ordinary language and conduct, under circumstances of much less provocation, could venture to hope for; and so favorably disposed did the government appear to the renewal of the accustomed commercial intercourse with the English, which that event had unhappily interrupted, that they allowed the trade to recommence, and fall into its ordinary channels, from the first moment that the intelligence was communicated to them of the evacuation of the island by the British forces.

In alluding here to this and other occurrences of a similar tendency, nothing is, however, more remote from the intention of the writer, than to assert, that they have been in themselves favorable to the British commercial interests in China. It is not through, but in spite of the various events which have thus occurred to rouse the jealousy and suspicions of the Chinese, that we to this day retain the possession of a trade, and of a great and flourishing trade, with the Chinese empire. These occasions of jealousy and suspicion are, no doubt, for the most part, unavoidable: they

are among the natural consequences of the proud pre-eminence which we enjoy in the scale of nations; of our inquisitive, adventurous, and dauntless character; and, more particularly, of the widely diffused and long protracted warfare, in which the state of European politics has engaged us.

But we must not be blind to the difficulties and dangers to which this state of things has exposed, and continues to expose, our commercial interests in China, though we may safely admire the wisdom or the good fortune, by which we have been hitherto extricated from them. We must recollect, how the Japanese (a nation in many respects similar to the Chinese) to this day exclude from their ports all those nations of Europe (a remnant of the Dutch excepted) whom they once so readily admitted: how, more recently, the Chinese themselves have excluded our own ships from the port of Chusan, and the Russian ships from all the Chinese ports, and this upon occasions of apparently little or no provocation.

We must, further, recollect all the various characteristic traits of the Chinese, which conspire to tell us, that the prosperity of a distant province, and the comparatively small contribution which our trade makes to the national

revenue, would be esteemed by them as nothing in the scale, when weighed against the hazard of continuing to permit any species of foreign intercourse, which was supposed capable of detaching the people from their government, and from the usages and institutions of their ancestors, or of, in any other way, disturbing the existing order of things in the empire*.

Upon this view of the subject, we shall be disposed to infer, not that the danger is doubtful or remote, but that the means by which it has been averted are excellent, and that those means ought, accordingly, to be diligently traced and carefully adhered to.

In other words, since we have, under circumstances so little calculated to allay the jealousies and fears of the Chinese, in so great a degree succeeded in conciliating their goodwill; since the agents of British commerce in

* The Chinese address to the Russian senate in 1789, of which a translation is given in this collection, affords a pretty strong evidence of the readiness with which the measure of a suspension of trade is resorted to by the Chinese—It is far, however, from being intended to represent the two cases as altogether parallel:—The British trade is, no doubt, of considerably greater importance to the Chinese than the Russian, and would not be so easily given up; though it cannot be doubted, that it would not be suffered for a moment to stand in the way of the paramount interests above alluded to.

China have not only struggled successfully against such considerable and continually increasing difficulties, but have at length brought the trade, which had commenced so disadvantageously and inauspiciously, to its present state of prosperity and comparative security; it cannot but be useful, as well as instructive, to trace the several steps by which this desirable end has been attained: nor is it unreasonable to assume, that an attentive consideration of them is likely to afford us the surest guide for the future management of these important interests.

If we look back to the past history of the trade, we shall see that the principal events which have marked its progress are the following:—

The first is, the adoption by all, or nearly all, European nations trading to China, of the measure of placing their respective commercial interests with the countries eastward of the Cape of Good Hope in the hands, and under the authority, of exclusive companies.

The second is, the approximation to a political connection with the government of China, which, with different degrees of success, the several states of Europe, chiefly interested in the trade, have endeavoured to effect, by means

of representative ministers, bearing letters and presents to the court of Pekin.

The third is, the recent consolidation, by the events of the present war and other contingencies, of the greatest portion (probably at this time at least nine-tenths) of the foreign commerce of the Port of Canton under the British flag; and the increase, consequently, to a very considerable extent, of the weight and influence of the actual representatives of the British nation and Company at that port.

It is but the natural result of such events, that the real value and importance of the British commercial connection with China not only begins to be, in a certain degree, felt and recognized by the Chinese on the one side, but is also more duly and generally appreciated by ourselves on the other; as is indeed, fully instanced, by the additional degree of anxiety and attention which has been given, of late years, both by the Company's authorities at home, and by their servants abroad, to the consideration and the adoption of the measures, and the system of conduct, best calculated for its preservation and improvement.

Thus, while the power and consideration naturally rising from the possession of a great

and flourishing trade, when such trade is concentrated and drawn into a focus, by being committed to the hands of the representatives of an exclusive Company, necessarily command respect; the general wisdom, propriety, and uniformity of the measures and line of conduct, which this system has put it into our power to adopt, have happily been found to conciliate, in no inconsiderable degree, both regard and confidence.

The Chinese seem, at length, to see cause to retract, in favor of the British nation, their generally unfavorable opinion of foreigners. Their experience of our character, sustained, as it has for the most part been, by the general tenor of our proceedings, must indeed have convinced them, that our good faith is unimpeachable; and that, while we amply possess both the power and the resolution to maintain all our just claims, we are equally far from being deficient in that wisdom and prudence, which forbid the pursuit of such as are unreasonable and indefensible.

The beneficial effects of the high character and augmented influence which the East-India Company thus possess, at present, at the port of Canton, are felt, both by the peculiar trade of the Company, and also by the remaining

part of our national trade with China, which is carried on under the Company's auspices and control, either in their own ships, by their own marine servants, or in the ships trading from, and belonging to, their several settlements in India, by the private merchants residing there, under the Company's authority. The same effects are even felt, in a certain degree, by the whole of the foreign trade generally. The exertions for instance, which the company's servants are continually called upon to make for the maintenance of privileges, and in their resistance to acts of encroachment, and perhaps oppression, must, when successful, be more or less profitable to all who are concerned in the trade: but it should always be recollected, that the acts of justice or of favor, which, in consequence of such exertions, and in cases of a general nature, may be imparted to all, would, without such exertions, (exertions, of course, presupposing a power lodged somewhere, capable of, and interested in making them,) in all probability be imparted to none.

It is also further true, that the credit and character acquired by the Company, and by the Company's servants in China, may, to a certain extent, have had the effect (which was

equally undesigned as unlooked-for) of sheltering and countenancing some of the foreign traders of other nations, and those especially of America.

There have been, without doubt, some instances, in which the undistinguishing and ill-informed Chinese, relying on external appearances and on the apparent uniformity of manners, have (very unfortunately sometimes for themselves) placed those foreign traders much too nearly on a level in estimation with those of the English nation, of whose honor and probity they had already had so much more certain experience.

The eyes of the Chinese are, indeed, now more open, both to the personal and to the national distinctions of the foreigners who frequent their coasts; and misconceptions, in these respects, can therefore scarcely occur again to any serious extent. But it is necessary, here, to advert generally to what has thus occurred; as it has so happened, that this partial and incidental participation by the Americans, and others, in the advantages so variously resulting from the flourishing credit and exalted reputation in China of the British East-India Company, has, very preposterously, been adduced as an argument

against the expediency and utility of the system itself which produce them; a system which, as we have seen, is mainly the cause of that general prosperity of foreign commerce in China, the benefits of which, if not exclusively, must always be, for the most part, our own.

In fine, the English, when they first adventured in the trade to China, presented themselves to the notice of the Chinese, necessarily, under the double disadvantage of being foreigners and being merchants*: nevertheless, since they have been invested with the character of representatives and servants of a great Company, enjoying the declared and immediate protection of the sovereign of their nation, they have succeeded, by sure, though gradual advances, in raising the British trade to a pitch of prosperity, and themselves personally, to a degree of respectability in the estimation of the Chinese, which the most sanguine expectations, under a due knowledge of the circumstances of the case, would hardly have anticipated.

* That this *is* a double disadvantage, is unquestionable: but the alleged degradation of the mercantile class, in China, has certainly been considerably over-rated, as well by the advocates, as by the opponents of the Company.

Though foreigners, they have approved themselves just in their dealings, and, generally speaking, wise and consistent in their proceedings.

Though merchants, or agents of merchants, such as they have always professed themselves, the Chinese have found them to possess substantially all the power, as well as much of the dignity, which the highest rank and office are capable of conferring*.

Though they lay claim to no direct authority from their sovereign, it is obvious to the Chinese, that they are especially protected and regarded by him, and that they are intimately connected with his immediate officers and servants.

Though they may not personally, or individually, have had access to the throne of the Chinese emperor, the emperor's officers and subjects well know, that they have already been once virtually represented at the court of Pekin by their King's embassador; and they therefore naturally suppose, that they, and the interests of the trade, will be so represented again on future similar occasions†.

* This was expressly admitted in one of the Edicts, issued at Canton in 1814.

† It may be supposed that the result (since the above was written) of Lord Amherst's embassy, precludes all expectation

If then we are content to persevere in the system, which we have found upon trial so safe and so efficacious, taking only such further steps towards the improvement and completion of that system, as the knowledge and experience acquired in the course of our intercourse with the Chinese may be found to suggest; if, in short, we do not think it too much to continue to employ the means which are reasonable and in our power, of soothing the prejudices and conciliating the good-will of a people, with whom we maintain so beneficial and so important a connexion*; taking care

of the renewal of the attempt at any future period—but to those who think with the author, that nothing could have occasioned the precipitate dismissal of that embassy, but the peculiarly untoward character of the then reigning emperor, and that, notwithstanding its apparent failure, it has been productive of solid advantages to the commerce of this country, such an event will not appear so utterly improbable—at least, not so much so, as to release the Chinese provincial government from all apprehension of it.

* It will hardly be supposed, that it was intended here to recommend any disgraceful or humiliating compliances: these, however flattering they may be for the moment to the vanity of the people with whom we may have intercourse, can never permanently conciliate their good-will; they will generally be found to invite oppression, and they invariably ensure contempt. The practical consequences of such compliances, in aggravating the evils they were designed to remedy, the early history of the European intercourse with China has amply illustrated.

always, more especially, that their increasing jealousy of our power find a regular and sufficient counterpoise in their increasing respect and esteem for our character, it may safely be pronounced, that there are no limits to the improvement and the extension, of which our commercial relations with China will be found susceptible. Upon the most moderate calculation, they will always prove a fruitful and important source of compensation for those embarrassing restrictions and impediments, to which, owing to events of a political nature, so much of our trade is at present subjected in the western world*.

On the contrary, if we invert this order of things, if we are rash enough to break up that wholesome system of control and subordination, that moderate, but effectual coercive influence, which, directly or indirectly, the Company possess over every British in-

* If these expectations of the gradual improvement and extension of our commercial intercourse with China may seem to have been somewhat too sanguine, it must be recollected, that since 1813, the restoration of Peace in Europe has deprived us of the monopoly which we then possessed; and now enables the United States of America, and the several nations of the Continent of Europe, to supply themselves with Chinese produce, as formerly, under their respective flags.—As far as the *Chinese* are concerned, our commercial facilities at the port of Canton are unquestionably on the increase.

dividual and every British transaction in China, and which, consistently with our laws and liberties, it is obvious could not possibly be made to subsist upon any other than its present basis; if, led away by a theory which, however true in general, the peculiar circumstances of the case render wholly inapplicable, we at once throw open this trade, equally, and indiscriminately, to the experienced and the inexperienced, the honest and the dishonest, the wary and the unwary; if, ceasing to interpose the present conciliating medium, we hazard the consequent collision of such opposite characters and habits as those of the Chinese and the natives of Great Britian, especially in such increased numbers, on the one side, as a trade in the hands of individuals, even less in extent and value than the present, might probably employ, we shall, there is every reason to suppose, have the mortification to witness, not perhaps the immediate extinction of the trade, but certainly its progressive decline into a state of unprofitableness and insignificance, by strides far more rapid, probably, than those by which it has attained its present prosperity.

A connexion which, in so many ways, is beneficial to the British community at large, and which, at best, is so precarious, the worst

and most ungovernable part of that community would be thus put in a situation, at any time, to suspend, if not altogether to destroy, by their criminal excesses, or even by their follies and imprudence.

The peculiar circumstances under which foreigners are received in China are, in fact, such, that the body or nation suffers from individual offences, almost equally, whether those offences are subject to punishment, or permitted to escape with impunity. The latter event naturally tends to render foreigners objects of hatred and aversion, while the former invariably entails upon them humiliation and disgrace.

Extreme cases of this description have, happily, as yet rarely been known to occur; as the East-India Company's servants, by means of the powers, either directly vested in them, or indirectly arising out of their situation, have hitherto in every instance of difficulty, actively interposed, either for the preservation or the restoration of harmony. But were this resource taken away, it is difficult to say which of the probable consequences would be most to be deprecated; the license and disorder ensuing from the frequent impunity of offences; or the still more intolerable and hu-

miliating grievance, of the abandonment of British subjects to struggle for their lives, unassisted, against false or unproved charges, and amongst all the mazes of Chinese injustice and chicanery.

To obviate the hazard of either of these unpleasant alternatives, in the event of an unrestricted trade, the appointment of a King's Consul at Canton has been suggested; and it has been supposed by some, that such a public functionary would be fully competent to the discharge of all the *political* duties, at least, which can now fall to the lot of the servants of the East-India Company.

Whether it might, or might not, be advisable to engraft such an appointment upon the existing system, is a question which it may be difficult to decide*; but one thing is certain, that the creation of such an appointment would not, of itself, in the smallest degree, remove the difficulties above adverted to.

* The writer of this is, upon the whole, inclined to think that it would be of advantage to our interests in China, if a Consular title were conferred by royal authority on the president of the Select Committee, together with that of Vice-Consul on the gentleman next in rotation—It would in some degree strengthen their hands, and certainly remove some obstructions in point of etiquette, which at present embarrass

Whatever the consular character might add to the dignity, it can add nothing whatever to the power already enjoyed by the British authorities under the present establishment.—It is from the trade that that power is derived. It is the trade, for instance, which confers on the Company's representatives their present power of controlling, not only the marine service of their employers, but also, in a certain

the Select Committee, in the performance of those political functions, which, whatever may have been supposed and argued to the contrary, form undoubtedly a very important part of their duty.

It is painful to see occasionally a just cause injured by the adoption of false and injudicious arguments in its support—This, it appears to the Author, has been very much the case, when it has been urged as one of the motives for continuing the trade on its present footing, that, for the sake of this trade, the Company's servants in China are occasionally compelled to submit to humiliations and indignities, such as no King's officer could patiently endure. If this were indeed the case, it would no doubt be extremely inexpedient to confer Consular appointments on persons thus unfortunately circumstanced—but the fact is quite otherwise; at least, ever since the period of the first British embassy in 1792, the Company's servants in China have seen the impolicy of such degrading submissions; and have uniformly, and with great ultimate success, taken the higher ground of a rational assertion of all those principles, which are essential to the preservation and prosperity of any extensive commercial intercourse between great and independent nations.

degree, all other shipping whatever, importing from India or elsewhere, under the British flag. It is the trade which, by reason of its great extent, has often given them means, peaceable as well as legitimate, of either favoring or counteracting the views of the Chinese government, and this upon occasions, when the possession and exertion of such a power have proved of vital importance to the British interests in that quarter. It is, lastly, also the trade, which proves the great engine of power, for influencing the proceedings of the licensed Chinese merchants, a class of men, upon whose conduct and disposition, in respect to foreigners in China, much more depends than is commonly suspected.

The trade being, therefore, in point of fact, the only real and available source of power and influence in the present case, such power and influence can, of course, reside with none but the representatives of those who carry it on. The King's embassador at the Court of Pekin, and also the captains of His Majesty's Navy, when they have powerful ships under their command, are capable, no doubt, of exerting an influence distinct from the trade; but a King's Consul at Canton, without much greater powers than those with which consuls are

usually entrusted, must necessarily, whatever his nominal dignity, be little more than a cypher.

The foregoing observations have a reference chiefly to the circumstances under which the British trade to China is placed, by the peculiar character and temper of the government of the country in which it is carried on. But there are several other important features peculiar to this trade; features more purely commercial, which will be found strongly to confirm the inference which has already been drawn, that it cannot exist, in any thing like its present extent and flourishing condition, otherwise than at this time, through the medium of an exclusive Company.

It is necessary to consider a little more particularly, both what the objects of the trade are, and with whom it is carried on.

It is well known, that it is not a free trade with the Chinese people generally, and to all the various ports of the Chinese empire*. If

* Mr. Ball, the late Inspector of Teas to the East-India Company in China, has written a very ingenious Memoir, in which it is clearly shewn, upon an accurate and detailed comparison between the expence of conveying Black Teas from the country where they are produced, to Canton, and that of their conveyance from thence to the port of *Fou-cheou-foo*,

such a trade could be procured by negotiation, it would, under certain modifications, be no doubt infinitely desirable. The possession of such advantages, and of so firm a footing in the country, might perhaps render it less unsafe, at least in a commercial point of view, to try the experiment of allowing a free competition on the one side to meet a free competition already existing on the other.—But while we are confined to one port, and to eight or ten merchants, who, although they are permitted to deal with foreigners individually, are nevertheless, to many purposes, incorporated together, and obliged to act as a body, the case evidently is widely different.

Nothing, it is most probable, could have prevented combinations, and the exercise of arbitrary and dictatorial powers over the trade, on the part of the Chinese merchants, but the present system, by which we bid singly in the market for the greatest portion of the articles of China produce, through the agency of the East-India Company.

in the province of *Fo-kien*, that the privilege of admission to the latter port would be attended with a saving to the East-India Company of £150,000 annually, in the purchase of that description of tea alone, besides affording us the advantage of another opening for the introduction into China of our manufactures and productions.

The effect of the commercial preponderance we thus enjoy is such, that the richest Chinese merchatns have been unable to contend against it, while the poorer ones have been placed by it, in a great measure, at the disposal of the Company.

The Company's servants are thus enabled to regulate the prices of most of the articles of our trade, rather upon the general principles of expediency, and the real state of the internal market of the country, than the mere circumstance of the greater or less liberality or fairness of those eight or ten individuals, to whom the trade has been, by the regulations of the Chinese government, restricted.

Nothing can be a stronger evidence of this fact, than the uniformity in the Canton prices of teas, which, while the nominal value of all articles of consumption have, in almost all parts of the world, been more or less rapidly increasing, and while the Chinese government has been supposed to be constantly augmenting its taxes and impositions, have experienced a rise scarcely worthy of notice.

In point of fact, the Company have seldom failed to obtain with readiness, not only fair market prices, but the absolute pre-emption of all China goods brought to sale at Canton

for foreign consumption. The competition which, in the purchase of some particular species of teas, and in that of some other articles of comparatively trifling consequence, has been ocasionally met by the Company from Americans, or from their own marine officers, is small inded in comparison with the endless and ruinous competition which would ensue, from throwing the whole into the hands of individuals, and thus dividing, as it were, the British public against itself*.

To prove that we should, under such circumstances, be obliged, generally speaking, to pay higher to the Chinese for teas and other articles, the produce of China, than we do at present, seems scarcely to require an argument. But it is here further to be observed, that when, through the superior weight and influence of the Company, the prices are once reduced to, or retained within reasonable limits, and a standard thus established, the portion of foreign trade which is in the hands of private individuals is naturally governed, in great measure, by the same rule. It may

* The competition for articles of China produce, at Canton, is, of course, greater during peace, than it was during the war, when the above paragraph was written; but this difference, whatever it may be, does not at all affect the argument.

even, in a few instances, happen, that individuals appear, under particular circumstances, to be favored still more than the Company themselves; but this, when it really exists in the fair course of trade, is altogether casual, and it is oftener the result of fraud, or a mere fallacy, founded on wrong calculations.

Exceptions, moreover, to the general rule, will, no doubt, occasionally be the result of those hazardous and irregular speculations of individuals, which, however generally pernicious, sometimes lead to great gains as well as to great losses, but which, of course, the wisdom of a well-regulated trade can never admit of. Purchases are also often made by individuals upon the principle of barter, or upon credit, or late in the season, or from merchants under temporary distress, or of goods of a deceptive kind, which, while they are nominally cheaper in price, are, in a still greater degree, inferior in quality. From any such cases as these, no general inferences, it is obvious, can justly be drawn: but it is believed with confidence, that it has been generally admitted, by all those who have had an opportunity of making the comparison, that when the parallel is fairly made, between the trade of the Company and that of Americans and other

private adventurers, the advantages on the side of the former are found to be both important and unquestionable.

In regard to the disposal in China of our British manufactures and productions, the advantages accruing to the public from the establishment of an exclusive Company are no less conspicuous, than those already stated to arise in other instances.

It is notorious, that the Company, by the means, or through the influence of the trade reciprocally carried on at the same time in articles the produce of China, has been enabled to export, and has always succeeded in inducing the Chinese merchants to receive, large and increasing proportions of our staple manufactures and productions, and at prices excluding all ideas of profit, either to the Company, who are the last sellers on the part of the English, or to the licensed Canton merchants, who are the first purchasers on the part of the Chinese.

The advantage to us, in the latter respect, is obvious; and, in the former, though it may be doubted, in a general point of view, how far actual pecuniary sacrifices, on the part of the Company, can of themselves be beneficial to the nation at large, yet in the cases in

which they have been made, as here quoted, it may easily be shewn, that they actually have been thus beneficial, and that in a very considerable degree.

The leading articles amongst our manufactures and productions, which we have already succeeded in introducing into China, are our woollens and our metals. The latter have found, hitherto, but little sale, otherwise than in their raw and unmanufactured state; and if it had not been for the great and persevering exertions of the East-India Company, there is great reason to suppose, that the scale of our woollen trade would have remained equally limited.

' In a country in which the people have been so long accustomed to rely for all the necessaries, and even conveniences of life, upon its internal resources; where almost every species of ostentation and splendour is precluded by sumptuary laws and frugal habits, and where the prejudices against novelty and innovation of every kind have been often found to more than counterbalance the most convincing proofs of superior excellence and utility, there was surely little reason to hope, that had things been left to take their natural course, our manufactures and productions

could have ever obtained any thing like an extensive or general consumption.

The Company, nevertheless, now sell in China, annually, not less than about one million sterling in value of British woollens alone*. To this height they have succeeded in carrying the trade, by previously submitting, from year to year, to very considerable losses; and by regularly binding the Chinese merchants, in their annual contracts, to receive these goods in part payment for their teas, and upon terms which, low as they were, in comparison with those upon which the woollens had been originally purchased in England, were still, almost always, considerably higher than could have been warranted or expected, upon the mere consideration of the then state of the demand in China.

* Our exports to China have been considerably lessened since the above was written, especially since the peace; but this appears to have arisen from circumstances wholly independent of the question between the Company and the private trader.—The private trade to China, carried on by the captains and officers of the Company's ships, is not inconsiderable; and it would be difficult to shew that the tonnage allowed them by the East-India Company, together with the private trade of India, is not fully adequate to all the rational purposes of private adventure and speculation, under the present circumstances of our intercourse with China.

Thus the sacrifices made by the Company, with the view of reducing our British prices more nearly to the level of the Chinese market, and the exertions to which the Chinese merchants have been at the same time stimulated, in order to effect, without actual loss, the disposal of a stock constantly imposed on them in superabundance, have gradually conspired to effect the dispersion of our manufactures, to a great extent, over the country, in spite of every kind of predilection and prejudice.

The taste for British goods has been introduced, and seems now pretty well established. The superior quality of our cloths seems to be very generally felt and acknowledged; but what has, perhaps, most of all contributed to their present favorable reception throughout the interior of China, is the uncommon care and attention bestowed by the Company in preventing the introduction of any thing like deception or suspicious inequality into the packages of goods issued from their warehouses. In this respect, the Company have been successful in commanding the admiration and confidence of the Chinese, in a degree that has probably no parallel. It is notorious, that the Company's mark, like the impression

upon a coin, is now admitted, in almost all parts of the vast empire of China, as a testimony of the quantity and quality of the article on which it appears, so unquestionable, as to preclude the necessity of further examination. How beneficial such a confidence must be, in facilitating the dispersion of the goods, and how impossible, under any other system, it must be (however highly we may be disposed to rate the general probity of our private merchants) to maintain such a confidence unbroken, must be obvious to every unbiassed judgment. There is no doubt that, under the present circumstances, the trade in British woollens is at length becoming a gainful one to all parties. The Company are, on the one hand, in a fair way to reap some portion of the benefits of its sacrifices and its exertions (sacrifices and exertions, such as none but a Company could have made or submitted to), while, on the other hand, the remaining and most important portion of these benefits, namely, the increased and still increasing vent for British produce, necessarily fall to our manufacturers and to the nation at large.

Another, and still more important view, in which the trade to China is to be considered, is the supply which it affords us, and is alone

capable of affording, of an article in such general use, as to be nearly equivalent to a necessary of life. The consumption of tea in the British dominions is now estimated at twenty-five millions of pounds weight, upon an average, per annum; and it will scarcely be doubted by any who consider the nature and the universality of the consumption of this article, even amongst the lowest classes in this country, that any material reduction in the quantity, or deterioration of the quality, would be productive of very considerable distress and inconvenience. It is impossible not to foresee, that so general a privation, so material a diminution of the daily and domestic comforts of the poor, as must ensue, in a proportionate degree, from the total, or the partial failure in the supply of tea, would, wherever the evil extended, be calculated to excite new discontents, as well as to embitter those which the unavoidable pressure of the war might already have occasioned. The national interests would, moreover, it is obvious, suffer no less in another way, by the consequent defalcation in the public revenue, of which the portion derived from this source now amounts to about four millions sterling: and, lastly, by the corresponding diminution,

at the same time, of the fair profits of the East-India Company, that is to say, in fact, the profits, directly or indirectly, of a very large portion indeed of the British community.

From these evils the nation is secured, as far as human prudence and foresight can be supposed capable of securing it, by the operation of the chartered privileges of the East-India Company.

The national interests require more, in fact, from this branch of trade, than it could, by any possibility, attain to, if left altogether to itself. They require, in the first place, that the supply it affords us of the article in question should be uniformly adequate, but not much more than adequate to the demand, not only in the aggregate, but also in respect to the several varieties and kinds, of which it is necessary that that aggregate should consist.

There is, probably, no article of commerce, whose value requires to be determined by such nicety of previous examination, and the due discrimination of which requires such matured judgment and experience; no article, of which the quality, and consequently the credit and the consumption, is so liable to be affected by improper admixture and adulteration. It has accordingly been found requisite, among

other regulations, that all damaged teas, though often saleable (for the purposes, no doubt, of deception and adulteration) for considerable sums, should be destroyed; and barges are, in consequence, frequently sent down by the Company to the mouth of the Thames, with such teas on board, for the express purpose of discharging their contents into the sea. There are other teas which, though not actually damaged, are of an inadmissible and objectionable quality. Whenever these, contrary to the intentions of the Company, have been imported, they have, if necessary, been returned back on the hands of the owners; and, at all events, the repetition of such practices has been discouraged, by deducting the full amount of the loss upon such teas from the accounts of the respective Chinese merchants. To these, and similar charges, though made after an interval of two or more years, the Chinese merchants (such is their confidence in the honour and good faith of the Company) submit, almost without question or examination.

There are, on the other hand, kinds of tea in China, a certain portion of which it is essentially requisite to provide for the annual investment for England, though, upon a com-

parison of the sales of these teas at home with the prices that must be given to procure them abroad, they are found sometimes to yield little or no immediate profit. The Company, accordingly, give a degree of encouragement to the growth and manufacture of such teas, which individuals, having only a limited and temporary interest in the trade, never could think of, but which the longer and more extended experience of a public body, teaches to be beneficial, both to the nation and to itself; because it is found, that a certain admixture with some others, of those particular kinds of tea (the introduction of a suitable supply of which is secured by the above means) by the retail dealers in England, materially contributes to maintain the credit, and extend the sales of the article generally.

In a word; upon the present system, the quality, the quantity, and the appreciation of our annual supply of this important article of consumption is evidently carried to the greatest pitch of perfection, that the circumstances under which foreigners are received in China admit of. The whole of the produce for foreign consumption of each season, passing, with little exception, regularly under the review of the Company's servants, nothing

can be conceived more free and unconfined than their choice; and in this they are determined, not like individual traders, by some casual and immediate advantage and temptation, but by general views of the superior excellence or suitableness of the article tendered, to meet the existing demand, and thereby to promote, as well the interests of the nation, as those of their own immediate employers.

In regulating, also, the extent of the supply, they are too well acquainted with the importance and nature of the interests under their charge, to permit those variations and irregularities to occur, by which individual traders are too often known to endeavour to influence the state of the market, and to seek to render it subservient to their particular views and interests. And if it were even possible to suppose the Company, or their representatives, to act ever under the influence of such a policy, the Legislature, by determining by law the amount of the stock of teas to be kept up permanently in their warehouses, and by such other acts as its wisdom may suggest, has always the power (which in the case of an open trade it could not have) of interfering and controlling them. As to the appreciation of

the teas in China, the reasons have already been stated, why under the present system, it must necessarily be the lowest, which the nature of the case and the state of the market will permit.

To recapitulate:—It has been endeavoured to shew, in what manner the present prosperity and comparative security of the China trade have arisen out of the system under which it has been conducted; a system, which, through the medium of an exclusive company, diffuses the profits and advantages of a great and well regulated commerce, in equitable proportions, directly or indirectly, over the whole of the British community; first, by its regular and secure contributions to the revenue (by which so much equivalent taxation of a different description is avoided); secondly, by its satisfactory and amply abundant supply of an universally desired article of daily consumption; thirdly, by its distinguished success in extending the sales, and maintaining the credit of British manufactures and productions; and lastly, by the support and employment it gives to multitudes in the marine, and other services of the Company, exclusive of that large and important portion of the British community primarily interested

in it, under the denomination of East-India Proprietors.

It has further been pointed out and exemplified, in what manner the Chinese have recognised and become accustomed to the existing system; and how, in fact, while it has had the effect of reconciling them to our principles of government, it has enabled us, in a great degree, to counteract the worst features of their own.

Finally, therefore, it is inferred, that by a dereliction of the system in question, the trade cannot be improved, though it may probably be ruined: that, though it may thus be put into other hands, there is no probability, in the nature of things, that into whatever hands it may fall, it can benefit, or advantageously employ, a larger portion than it does at present, of the British public.

It is probable, that the truth of these positions is already so far admitted, that there are not now many persons who would venture to recommend the total and immediate subversion of a system, which time and circumstances have so essentially connected, in various ways, with our national interests. But a much greater, and more respectable number of persons, appear to have assented to propositions

for the admission, under certain circumstances, of a general trade in China produce: by which propositions the exclusive privilege of the Company to the trade to that empire is equally assailed, though in a more direct manner: and the ultimate tendency being the same, the consequences are necessarily to be deprecated and resisted in a similar manner.

In fact, without an exclusive trade in the articles the produce of China, the exclusive admission to the ports of that empire might soon become little better than a nominal privilege, and of very doubtful advantage. If the private trader is placed in a situation to obtain, either openly or clandestinely, any material participation in the existing trade for the supply of Great Britian and Ireland with the staple commodities of the Chinese empire, it is obvious, that all further calculation on the part of the Company, either for suiting the tonnage to the supply, or the supply to the demand, must be perfectly nugatory.

Circumstances might put it into the power of private traders to defeat the Company's wisest provisions for the regular accommodation of the British consumer, while they always would render less certain and practi-

cable the continuance of such measures as are now taken by the Company for the relief of the British manufacturer.

The speculations of individuals might, no doubt, be hazardous and irregular, and generally ruinous, perhaps, whenever they were legal; but, in either case, the trade of private indviduals, through indirect channels, would necessarily entail the introduction of inferior and objectionable teas into the British market, and thus, by discrediting the article, reduce the consumption, and finally bring ruin and disorder into that trade, in which they had so unworthily participated.

To enable the Company to sustain, in the manner they do at present, the difficulties attending the maintenance of a commercial intercourse with China, they must be allowed the fair advantages of that intercourse.

If private ships, on the contrary, fitted out from British ports, are allowed to navigate directly to and from the Eastern Islands, where Chinese vessels and Chinese colonists are every where to be found, they will certainly succeed in some degree, and possibly in a very great degree, in securing to themselves a participation in that trade, which has been heretofore exclusively confined to the port of

Canton*. The article which they will be enabled to procure, will, most probably, be neither so good, nor so suitable to our taste, as that imported direct from China; but as it will have been procured under an evasion of a considerable portion of the Chinese export duties, and sold, possibly, under an entire evasion of the English import duties, the Company's regular and lawful trade in the same article must necessarily be undermined by such a competition, as far as it may extend.

As the experiment has never yet been tried, it is impossible to say how far it would prove successful, how far, in short, it would be practicable, to supply the British market with

* It has already been observed, that the question of allowing British private ships to frequent the port of Canton, solely with a view to the carrying trade with the Continent of Europe, was not in contemplation when this paper was written. It may readily be conceded, that this question is not open to *all* the objections which have been made to the introduction of changes of a more extended character—but it certainly is to many of them; quite sufficiently so, to make it incumbent on its advocates to make out a very strong case indeed in favor of the experiment, besides acquiescing in such additional safeguards, as might in such cases be required, for the security of the Direct Trade;—a benefit in possession, of infinitely too great value to be hazarded for the sake of any problematical advantages.

Chinese produce by indirect channels, even if opened by us to private adventurers in the freest manner.

It is most probable, however, that the supply, though very prejudicial in its effects to the Company's interests and arrangements, would be but inconsiderable and contemptible in itself. The advantage to the individual trader would, almost in any case, be but small and precarious; while the injury to the Company and to the regular China trade (and consequently, as has already been shewn, to the nation at large) would be certain, and also, possibly, of serious magnitude*.

* This last position has been stated thus strongly, under an impression, that were the private trader permitted to have access to any port where cargoes of teas are procurable, the temptation excited by the present high duties, would be such as to render it impossible wholly to prevent the subsequent clandestine introduction of such teas into England:—but should this risk be determined, by competent judges, not to be material, the objections above stated would, of course, be lessened in the same proportion.

ADDITIONAL CONSIDERATIONS

UPON THE

CHINA TRADE,

Written in 1813*.

ALMOST the only argument which has been urged, with any degree of plausibility in favor of the opening of the China Trade, is drawn from the fact, that a considerable trade has been actually carried on to China till very lately by the Americans.

To this it may be replied, in addition to what has been already observed, that there is in reality no similarity between the two cases. The English are a great and powerful nation;

* These Remarks were written in illustration of the subject of the preceding "Considerations;" but the passing of the charter, in the mean while, having apparently set the question at rest, it seemed at that time unnecessary to pursue it any further.

the Americans, as far as the Chinese are acquainted with them, are the reverse of this, and, indeed, they are as yet scarcely recognised in China as a nation at all.

Our decided commercial preponderance, the fame of our conquests and military resources, our handsome and well appointed merchantmen, and our numerous and powerful ships of war, all conspire to render us the chief, if not the sole objects of jealousy. As long as a good understanding continues to subsist with the English, other foreigners, who visit the port of Canton, are allowed to participate in the trade with little notice or interruption; but whenever the English are at variance with the government, it has been found that the rights and convenience of other foreigners have been but little regarded.

If the Chinese (the mandarins more especially, and others not immediately connected with the trade) are thus so apt to consider all foreigners in the aggregate, and to overlook those national distinctions which appear so obvious to us, it is not surprising that they should be peculiarly liable to do so in the case of ourselves and the Americans, between whom, in fact, scarcely any such distinctions exist.

There is another circumstance, which has also materially favored the Americans of late years: to explain which it is necessary to advert somewhat particularly to the peculiar commercial system on which the Company's China Trade is conducted.

It is well known, that in order to carry on this trade with facility and success, a constant annual supply of specie, to a considerable amount, has, until very lately, been requisite; and in order to raise this supply of specie, it has been customary, exclusive of the supplies drawn directly in bullion, to obtain further sums, by keeping the Company's treasury at Canton regularly open for bills on England and India. When these channels of remittance were found to yield a considerable surplus of specie, beyond the sums actually required for the purchase of the investment, and the necessary advances to the merchants, in aid of their prospective engagements, still no practical inconvenience was apprehended from this circumstance, as the Chinese merchants were always ready to give ample compensation to the Company for all additional advances made them, by proportionate reductions in the prices of the teas engaged for; and as it was understood that the sums advanced were

guaranteed by the individual and collective security of the Hong merchants, and even by the government, the risk was considered to be extremely small.

The spirit of speculation however which actuates many of the Chinese merchants, and the favorable impression which the Americans, on their earlier visits to China, made on their minds, from their resemblance to their brethren the English, unfortunately induced them (the Chinese) to divert a part of their borrowed capital from its proper channels, to the purpose of providing teas upon credit to the new comers.—This circumstance, connected with other acts of improvidence and injudicious speculation, has probably contributed, much more than any exactions of their own government, to the very low degree of impoverishment to which a great proportion of the licensed Chinese merchants has of late been reduced. In the mean while, the purchaser of teas upon credit easily overstocks the market in America; and we find accordingly, that the prices of teas, at New York (as stated in a late publication), are in several instances apparently as low, or lower than the actual prime cost of such teas would have been, at the same period, in the Canton market.

Some portion of the teas purchased by the Americans were, no doubt, paid for in specie; and another portion by the proceeds of skins collected upon the North-West Coast, or of sandal wood, cut upon the Feejee Islands. In the latter cases, it is obvious that the teas may be sold at a nominal loss, and yet the transactions be, upon the whole, profitable.

Even in his ordinary commercial transactions, the American necessarily possessed certain advantages from his neutrality, to which the English private adventurer and the English East-India Company must be equally strangers.

Not only the American was, from various causes, enabled to navigate the seas upon much cheaper terms than the English trader could; he was not only enabled, by being independent of convoy, to choose the times and seasons of his arrival in China, but having all the ports of Europe as well as America open to him, he had much greater facilities in bringing his goods to the best market.

Upon the whole, however, notwithstanding some few exceptions, there is every reason to be satisfied that the Company really do enjoy all those advantages, in their dealings with the Chinese, to which their credit, stability, and extensive dealings entitle them.

The following extracts from opinions given in reply to certain queries proposed by the Company, in the year 1792, and of course without any reference to the present question, by gentlemen, who had retired from their service, after many years residence in China, bear strongly upon this point:—

" The Company derive infinite advantages in consequence of the magnitude of their trade over foreign nations, more especially over individuals."

(signed) *Henry Lane.*

" I conceive the Company derive every advantage that can be expected, from the magnitude and stability of their trade."

(signed) *David Lance.*

" The Company, from the magnitude of its trade and credit, has great advantages over those of other nations."

(signed) *William Fitzhugh.*

" The English Company undoubtedly derives some advantage from the magnitude of its trade, both over companies and individuals, but greatly over the latter."

(signed) *Henry Browne.*

These opinions have received a remarkable confirmation, of late, from quite an opposite quarter. M. St. Croix, a French gentleman, who visited China, and returned from thence in 1807, by way of America, has recently published an account of his travels, at Paris. This gentleman, after examining the question at some length, whether at a peace, the French ought to trade to China individually, or as a company, not only decides in favor of the latter system, but comes on this subject to the following remarkable conclusion:—

"Il me semble qu'il en est à-peu-près de la liberté du commerce maritime comme du systême de la liberté individuelle, qui, après avoir présenté à l'imagination les plus brillans systêmes, finit par les plus fâcheux resultats."

vol. iii. *p.* 147.

Indeed the fact, of the Company being enabled to pursue the trade with greater advantage than individuals could, is far from being denied by many of the advocates for open trade; and one of them even brings against the Company the very singular charge, of bearing too hard upon the Chinese, and actually impoverishing the Hong merchants, by their dealings with them.

The passage is so singular, that it deserves quotation—

"If the trade shall be open, a plurality of merchants appearing in the market should enhance the price of the commodities which the Chinese have to vend—but, if they have only *one* purchaser, the East-India Company, there is no room for any benefit accruing naturally from a multiplicity of demands—

"It is a fact, that since the war has shut out the French, Danish, Swedish, and other European powers from this trade, the Chinese Hong merchants have become sadly impoverished—"

Some Facts, &c. p. 40.

The real cause of the impoverishment of the Hong merchants has been already stated; but when such allegations as these are made against the Company, it is at least pretty evident, that the writer of them saw no reason to suppose the Company deficient in the execution of the trust which is reposed in them, of carrying on the trade to the greatest possible advantage to the British interests. If the advantages of the Chinese merchants are the lowest possible, those of the British

purchasers and consumers are consequently, the highest possible,—it is obvious, the cheaper the Company are enabled to purchase teas, the cheaper they will be enabled to sell them again to the public in England.

It is asserted however, (*Glasgow Letter*, *p.*98) that the prices of teas, exclusive of duties, are nevertheless 85 ℔ cent. higher, upon an average of ten years, in England, than in America.

The writer, who gives this statement, admits that 35 ℔ cent. of the difference may be accounted for, by the actual difference between the charges of transit in American and British bottoms; still, however, he contends that the remaining difference of 50 ℔ cent. is unaccounted for.

Before it can be safe to argue very conclusively upon the results of these comparative statements, it would be desirable to be able to ascertain the absolute accuracy of all the items as insulated facts: and likewise their degree of fitness to be introduced into an average estimate, which fitness can only be grounded on their being *bonâ fide* prices, uninfluenced by temporary causes.

When we see, on the contrary, that in some instances the prices are actually less than the prime cost would have been of teas of such a description in the markets of China, it is certainly very natural to entertain some suspicion of inaccuracy. That the Americans, who purchase teas partly with bullion, and partly with skins and sandal wood, articles which cost them nothing more than the labour of procuring them, should afford to sell them at a somewhat less profit than the English Company would, who pay for a large proportion of their investment (and, till lately, at a heavy loss) with the manufactures and productions of the United Kingdom, might easily be expected: but that the American traders should sell their teas in the United States below their original value in China, unless such teas had never been paid for, or the sale a compulsory one, is hardly conceivable—at all events, there in one circumstance which is pretty generally admitted, and which must in a proportionate degree affect every item in the statement under consideration—namely, the almost uniform inferiority of the average of the teas of each denomination imported into America, below those imported

into Great Britain. This, indeed, could scarcely be otherwise, when it is considered that, with very little exception, the Company have notoriously the previous inspection and pre-emption of all the teas brought to the Canton market for foreign consumption.

NOTE

ON THE

British Factory in China,

AND

THE LATE EMBASSY.

SOME years ago, an article appeared in a distinguished Literary Journal*, containing, certainly, very gross misrepresentations relative to the British Factory in China. These misrepresentations have remained to this day unanswered. It was imagined that they could not possibly deceive any one who took the smallest pains to enquire into the subject; and, with respect to the readers in general of a Literary Journal, it was supposed that they would take too little interest in the question, to render any public reply, specially addressed to them in refutation of such charges, either useful or necessary.

* Edinburgh Review for February, 1818.

It is probable, however, that this has been somewhat too readily taken for granted. A great part of the alleged facts, fall in very naturally with the opinions of those, whose commercial creed it is, that a further reduction of the amount of the exclusive privileges of the East-India Company, beyond what had been deemed expedient at the period of the last renewal of the charter, would be extremely beneficial to the public interests: and we are all but too ready to receive, without any very strict scrutiny, those statements which seem to make in support, either of our favorite theories, or our pre-conceived interests.

The Committees on Foreign Trade in both houses of Parliament, have besides, recently expressed opinions, (and in which the members of his Majesty's government appear to concur,) very favorable to a partial relaxation at least, of some of those commercial restrictions on our intercourse with China, upon which the East-India Company's undisturbed possession of their exclusive right to the trade with that country, has hitherto been considered mainly to depend. It really becomes, therefore, a question of some practical importance to the public, in what manner their important privileges, in this respect, are at present exer-

cised: in other words, what is the actual constitution, and what has been the general conduct of that British Factory, to which the local administration of their affairs in China is, upon the existing system, exclusively confided.

It would be idle to dwell in this place, at any length, on the importance of this trust.—Almost every one knows, that the annual value of the British exports to China has not been less, upon an average, than about a million sterling, and that of our imports from that country, not less than about two millions; that this trade contributes three or four millions to the revenue, and more than pays the dividends on East-India stock. It is no less universally known, though the fact has not perhaps been equally adverted to, that the trust which involves interests of such magnitude, not being exercised within the reach of the ordinary revision and control of the superintending authorities at home, but at a distance of fifteen thousand miles by sea from our own shores, of necessity requires an unusual degree of confidence, and a delegation of authority, in the first instance, almost without reserve, though exercised under a consequent responsibility, of course, great in proportion.

But there are some other singular circumstances, under which also the British Factory exercise their trust in China, which have certainly not been duly weighed and considered. Stationed at a frontier town, on the remotest verge of the Asiatic continent; living under a government, highly jealous, despotic, and arbitrary, in all its stages, and amongst an extremely sagacious and singular people, whose manners and habits are acknowledged to offer, in many respects, exceptions to all the most received principles among civilized nations, they are neither protected by the physical force of armies, nor by that moral security which is derived from the plighted faith of treaties. They have not even that petty personal security, which almost all other persons placed under similar circumstances of responsibility possess; that of taking their measures, in all critical cases, under the sanction of the opinions and advice of Advocates general, or of any other description of officers learned in the law, for the purpose of entrenching themselves as much as possible, on such occasions, within the technical formalities of our own legal provisions. In cases of the very highest emergency, the gentlemen of the Factory must act, and irrevocably decide, with nothing but sound sense

and sober discretion for their guide, though the safety of all the vested interests in the trade, the millions in value of property embarked in it, and even the lives of the individuals engaged in carrying it on, should be involved in the question at issue.

After considering, in this general way, the magnitude of the concerns, and the great responsibility of the trust, reposed in the gentlemen of the British Factory in China; and keeping in mind that they have no clerks or assistants of any description, for the execution of those details, which have been called, the "humbler duties of their employment," and that from circumstances of ill-health or other casualties, the effective strength of the Factory seldom exceeds twelve or fifteen persons, it seems almost superfluous to sit down seriously to reply to the following remark:—

"To tell what is the employment of all these persons would not be quite so easy; for we really believe they have little or nothing to do." *Review, p.* 440.

In one sense, indeed, it is certainly *not* very easy to tell the employment of the gentlemen in China; for the union of such various, difficult, and peculiar duties in the same body of public functionaries is certainly very

rare, if not without example. It will be sufficient however, with a view to shew that the belief of the Reviewer is not altogether well founded, to state a few particulars.

First, with respect to the duties, which are merely commercial.—A society, which seldom exceeds in fact fourteen or fifteen persons, is charged with the sale of the imported, and the purchase of the exported cargoes of twenty or thirty ships of the largest class, with all the details of loading, and unloading; the examination, selection, and the appropriation of the goods—The adjustment of loans, bills, exchanges and treasury accounts, with other matters of finance, such as commerce on so large a scale must require: with an extensive correspondence with the several presidencies of India, from each of which they receive considerable annual consignments; exclusive of their much more frequent and voluminous correspondence with their principals at home: with all the requisite diaries, ledgers, books of accounts, and other records connected therewith, registered in duplicate and triplicate, on account of the risk of loss, in the course of their transmission home: and all this in a degree of minuteness of detail, certainly not very usual, but which the East-India Company,

in their jealous anxiety to ensure a proper discharge of a trust executed at so great distance, deem it expedient to require.

This then being the commercial charge imposed; no person, who had ever had any opportunity of forming an idea of the extent and intricacy of commercial dealings of such magnitude—a member, for instance, of any great private commercial house in this country, would certainly ever think of making it a question, whether there were, or not, in such case, something to do.—Still, much of the commercial business that is transacted in China, would not have been taken into the calculation—The previous contracts and other arrangements that precede the arrival of the ships, the local difficulties of a commercial nature which are occasionally to be contended with—the superintendance of the affairs of such Chinese merchants as happen to fall into a state of embarrassment or insolvency;—all, in their turn, contribute to multiply the accounts, and to enlarge the correspondence of the servants of the Company; and entail on them a proportionate degree of labour, both mental and mechanical.

The regulation and superintendance of the shipping of the Company, while at the port

of Canton, forms another and an anxious branch of their duty. But the peculiar and most distinguishing feature of their situation, and that which renders the qualification of an intimate acquaintance with the character and habits of the people, such as a considerable residence among them can alone confer, not merely useful, but almost indispensable, is their official intercourse, direct or indirect, verbal or by letter, with the Chinese provincial government.—It is not here intended to allude merely to those hostile and public altercations, in which they are unfortunately, and in spite of every exertion to the contrary, sometimes involved, and which are always attended with more or less hazard, as well as temporary injury and inconvenience; but rather to those ordinary and more frequent, and indeed almost continual communications, which are taking place between the British and the Chinese authorities, sometimes through the medium of the officers of the latter, but more generally through the Hong merchants; and which, as often as the judgment and good sense of the British residents, on the one side, meets with a reciprocal feeling and intelligence, on the part of the Chinese officers, on the other, can hardly fail to terminate every difference in an

amicable adjustment, advantageous to both parties.

The Company's immediate interests, besides, it is proper to remark, form but a portion, and often but a slender portion, of the topics which in these cases are either led or forced into discussion. The situation of his Majesty's ships of war—The interests and conduct of persons belonging to the country trade from India—and even the interests of foreign ships, sailing under the flags of nations in alliance with Great Britian, have all occasionally occupied the time and attention of the select committee, and have brought them always anxiously, and in some instances painfully and perilously, into contact with the officers of the local government. It was an accidental homicide, unfortunately committed by the gunner of a country ship, which suspended the trade of the Company, and involved them in the most serious disputes with the government, in the course of their generous, but ill-concerted and unsuccessful endeavours to save the unhappy man's life, in the year 1784—It was the aggression of a commander of a country ship, in 1781, in violation of the Chinese neutrality, which exposed them at that time to the most unmerited insults, and which would have led to

the actual seizure of their persons, but for the refusal of the Portuguese government of Macao, under which they at that time resided, to concur in such a proceeding*.

On other occasions, the interposition of the servants of the Company, though not forced upon them by the acts of the Chinese government, arose from the special instructions of their employers. To render, for instance, every possible assistance to his Majesty's ships, when frequenting the port of Canton for the purpose of giving convoy to our trade; to obtain for them such supplies and accommodations as may be required, and without which it is obvious they cannot remain upon the station; and, generally speaking, to act as mediators between them and the Chinese, has been at all times considered as an indispensable part of their duty.

And even with respect to the interests of the ships of nations in alliance with us, it will hardly be contended, that we ought not to extend to them also occasionally the benefit of our good offices. It is impossible to read, without some degree of national pride and exultation, the

* The above cases are slightly noticed in the Appendix to the Lords' Committee on Foreign Trade. *p. p.* 294, 295.

flattering eulogium, which admiral Krusenstern, the Russian circum-navigator, in his Narrative of his Voyage, pronounces on the character and conduct of Mr. Drummond, when president of the select committee in China; together with the expressions of his grateful acknowledgments, for the important public services that had been rendered to the Russians by the British Factory, during their visit to Canton*.

To return to the Reviewer; it must be admitted, that the supposed want of occupation, and consequent uselessness of the gentlemen in China, is afterwards qualified by a description, though a somewhat ludicrous one, of their actual employments: but these are, at the same time, exhibited as little better than absolute idleness itself, by being invidiously contrasted with the asserted opulence and magnificence of their establishment.—The average annual amount of their salaries in the aggregate is said to be about £120,000 sterling; although a simple inspection of the books of the East-India Company would shew that this is a most gross and unfounded exaggeration.—Even the supposed splendour of their table is arrayed against them; although, in fact,

* Krusenstern's Voyage, *vol.* ii. *p. p.* 200—299.

the obligation which their situation imposes on them, of doing the honors of a public table, on behalf of their employers, to all strangers of respectability, though it has at all times been chearfully executed, is fairly to be considered rather as one of the burthens, than one of the advantages of their establishment. That a public table is maintained at the expence of the East-India Company, to which the members of the factory may at all times resort, is most true;—and that this table is served in a spacious and elegant apartment, and with all the other proprieties and external accompaniments, which are suitable to the due representation of the British name and nation in China, is equally unquestionable—It may be presumed, that few persons would carry their notions of economy and retrenchment so far, as to wish this were otherwise. But with respect to the epithet of *superb* that has been given to it; it may be observed, that even a very moderate degree of comfort and convenience on shore, will be generally found to command the approbation or admiration of persons, who, like most strangers in China, are placed in a situation to contrast the hospitalities which they receive, with their previous privations during a long sea voyage.

It is far, however, from being here intended to under-rate the *real* advantages of a China appointment. It is undoubtedly (though perhaps this is saying too much, as a difference of opinion even upon this point has sometimes been expressed) the best, within the gift of the Court of Directors; not because of the superior amount of the actual emoluments, but because of their ultimate certainty, and of their being realized in a country, where there is, generally speaking, little temptation or necessity for expence; and where the climate is comparatively favorable. Nevertheless, the gentlemen of this establishment do not, in the ordinary course of things, find it practicable finally to return to their families at home, until after a period of twenty to twenty-five years' service; and, if even this severe sacrifice, this long period of painful seclusion and banishment from every thing that is dear to them as Englishmen, may possibly be, on the average, somewhat less in respect to the number of years, than is the case with regard to the other East-India appointments; most persons will readily admit, that the difference is more than made up, by the greater severity of

the privations that must be sustained during the interval*.

In fact, an Englishman has seldom an inducement, of any description, to remain a moment longer in China than the acquisition of such a fortune, as may enable him to maintain his station at home with decent propriety, may absolutely require: and as the circumstance, which has been already fully admitted of the China appointments being considered to be, upon the whole, the most eligible, occasions those appointments to be in general conferred on young men of superior expectations, and on eldest sons, who often succeed to their patrimonies previous to the expiration of the ordinary periods of service, they do not perhaps find it necessary, so frequently as the gentlemen destined for the service of the

* It is true, that the East-India Company, in consideration of the very peculiar situation in which their servants in China are placed, more readily, and more frequently, indulge them with the permission to make an occasional visit to their native shores, during the period of their service, than is usual in other instances. But it must be recollected, that every such indulgence is, of necessity, purchased with a price, not very agreeable to many; namely, their confinement, during the period of another twelve-month of their lives, on board of a ship; that being about the duration of the outward and homeward voyage.

Company in the East Indies, to await the progressive accumulation of a fortune in its full extent; but gladly retire as soon as they may have been enabled to save as much out of their salaries, as they may esteem sufficient to make up the deficiency in their paternal inheritances.

It is fair to observe, that the Reviewer disavows all intention of saying any thing personally hostile to individuals—He adds in a note, "It is needless, we hope, to say, that nothing can be further from our intention than to insinuate any thing whatever to the personal prejudice of the Gentlemen of the Factory in China. Some of them, we know, are persons of the greatest talent and respectability; and all of them, we believe, too good for their employment." *p.* 440.

But this is, surely, making poor amends for having previously, in the very same page, held them up, collectively, to scorn, as persons holding the most shameful sinecures: as persons, who, while they have in reality little or nothing to do, cooly divide among themselves not less than £120,000 sterling, annually, of the public money:—Besides which; even this assurance, that nothing is intended to be insinuated to their personal prejudice; these

compliments to their talents and respectability, qualities which are believed to be sufficient to render *all* of them too good for their employment, are pretty well neutralized in a following page; where they are roundly charged with "folly and presumption," ironically styled "our sapient Factory," stigmatized as "political blunderers," and, in short, as so ignorant of, or so unfit for the duties of their station, that the Reviewer cannot recollect "in the whole history of our connexion with China, any one piece of bad policy which did not emanate from their advice."

p. p. 445, 443.

The reader will not, probably, appreciate very highly an authority, from whence proceed, almost at the same moment, such opposite and inconsistent statements: which throws out sweeping charges; which, unless the previous compliments were most unmerited, must inevitably have been, in great measure, if not altogether, unfounded.

The charge, however, against the servants of the East-India Company, in China, which of all others was the most unlooked-for; and which is built upon grounds, apparently the least calculated, of any that could have been selected, for the erection of such a super-

structure of censure, is contained in a note, commencing with the following words:—— "The conduct of the supercargoes, in regard to cases of affrays with loss of life, and other instances of manslaughter which have occurred, appears to us to deserve severe reprehension."

p. 445.

Really, if there is any part of the conduct of those gentlemen which might have been supposed peculiarly exempt from attack, it might be added, so unequivocally praiseworthy even, as almost to entitle them to something like public and popular favor, it is their disinterested, fearless, and (in every instance for these last thirty years) successful exertions, in protecting the innocent and unhappy objects of unsubstantiated and unproved charges; and thus preventing them from becoming victims to the unprincipled and undistinguishing severity of the Chinese law, such at least (whatever be the theory), as it is attempted to be practically administered by the Chinese magistrates, in all cases of homicide by foreigners, in which natives are the sufferers.

The case which it was the Reviewer's intention more particularly to visit with his severe reprehension, and upon the circumstances of

which, in fact, all his subsequent observations are founded, is obviously, (from the allusion made to a "mock trial,") that prominent one, which occurred in the year 1807.—On that occasion, certainly, a very disgraceful riot took place; a party of some fifty or sixty drunken sailors were pelted by a mob of some thousand Chinese; the sailors having armed themselves with sticks, became the assailants in their turn; and when the ground was finally cleared of the combatants, several wounded persons of both parties were discovered; but none were ascertained at the time to have been seriously injured.—One unfortunate Chinese, however, who had received a blow, but had made no complaint upon the spot, and had walked quietly home to his friends, sickened and died on the next or the following day; and the Chinese merchant who had made himself specially responsible to the government for the ship to which the riotous sailors had belonged, having, it was said, neglected or refused in the first instance to make some compensation to the connexions of the deceased, a complaint was laid before a magistrate, and a regular demand made that some person should be delivered up into the hands of the Chinese government, as a victim to the

offended laws of the country.—It was little less than certain that any person who might be delivered up to the Chinese, under such circumstances, would suffer death as a murderer*: and it was, therefore, in the opinion of the select committee, still more unquestionable, that none could in this case be so delivered up; as from the nature of the circumstances, the perpetration of the crime could not possibly be fixed on any individual, not only, not with any legal certainty, but not even with a tolerable degree of moral probability—Even the Chinese themselves did not attempt to name, in the first instance, any particular culprit.—So far, however, from endeavouring to protect a *real* offender from justice, as alleged by the Reviewer, a public trial within the walls of the factory was assented to; the result of which was, that after a general examination of all the sailors implicated, the Chinese *did* select an individual, and upon that individual they immediately fixed the responsibility for the offence. This trial may perhaps be justly called a "mock trial," and the result of it "a farce;" but this mockery, if there were any, is imputable to the Chinese, not

* See Mr. Drummond's evidence before the Select Committee of the House of Commons. *p.* 368.

to the servants of the East-India Company.—Nothing can be more utterly false than to represent them upon that occasion as the "suborners of perjury," and the "corruptors of judges." Whether any oaths were or were not administered, so as to admit of the possibility of perjury, in the strict sense of the word, having been committed, is not very material; but, unquestionably, if it is intended to be implied that the evidence, which was at that time taken in open court, in the presence of hundreds of spectators, and more especially of the gallant captain of the convoy, now an admiral, was suborned testimony; it is difficult to conceive a more atrocious and unfounded libel. The story of the corruption of the judges, is of a similar kind, as far as the Company's servants were concerned.

The select committee certainly would not have consented to have delivered up the individual whom theChinese ultimately named, had he been demanded, because, although he had confessedly been one of the most active in the affray, there was not a tittle of evidence to shew that he had struck the particular blow which had occasioned the death of the Chinese, much less, that he was in any received sense of the word, a murderer.

In what precise manner the matter was finally made up between the relatives of the deceased, the Chinese Hong merchants, and the provincial government of Canton, never was, and probably never will be precisely ascertained*. One thing however is perfectly clear, that whatever compromise *did* take place, the Company's servants were no party to it—It was determined in the Chinese courts of

* A translation of the final Edict issued by the Chinese government on the occasion, together with some general remarks on the nature and supposed circumstances of the adjustment, will be found in a Note to the Translation of the Chinese Penal Code, *p.* 516, 521. It is there expressly stated, that, in the story which the Chinese fabricated, the Europeans did *not* concur, though asserted (by the Chinese) to have done so: and that the witnesses who were supposed to have adopted that story, were *Chinese* witnesses.—If the supercargoes were to be held answerable for all the corrupt intrigues and tergiversations, to which the Chinese, in their transactions with Europeans, occasionally have recourse, they would indeed have hard measure dealt out to them—At the same time it would be going rather too far, to argue that an adjustment which was perfectly honorable, as far as the English were concerned, could not be accepted, because it might be suspected that the compromise among the Chinese, by means of which it was effected, was not equally creditable.—It would be extraordinary indeed to acquiesce implicitly in the proceedings of the Chinese, when they tended to the destruction of an innocent man; and to be scrupulous about them, only when they tended to his preservation.

justice, that the offence amounted only to excusable homicide, and the claim of the Chinese government to the possession of the person of the offender, was in consequence abandoned. We may fairly ask what line of policy that writer would recommend, who stigmatizes the cool, temperate, and at length successful resistance of the select committee to the demands of the Chinese government, by which an innocent individual was thus saved from an ignominious death, as a mere "system of bullying," which, he adds, however it may succeed for a time, must infallibly ruin the cause it espouses in the end! *p.* 446.

It is certainly not at all surprising, that a writer who condemns the supercargoes, because, in such grave cases as those of life and death, they were desirous that the offence should in some degree be measured by "*our* standard of guilt;" and who wished, as far as it was practicable, to sustain "*our* point of honor," should, to use his own expression, "*have always been incurably blind to the merits or importance of Lord Macartney's evasion of the Ku-tou;*" and look upon it as a question "about which it was at all times absurd to contend."—*p.* 436. Compared with the question we have been now considering, the

homage of the *Ku-tou*, however unseasonable and improper on the part of the representatives of independent nations, is a light matter indeed; the sacrifice, though abundantly degrading, is not sealed in *blood*.

In support of his opinion in favor of the performance of the *Ku-tou*, the Reviewer quotes what he denominates "the decided opinion of every member of the mission unconnected with the local interests of the Company in China, that the ceremony, if insisted on, ought to be submitted to." Upon this, it is in the first place to be remarked, that if the word "every" is intended to comprehend more than *two* individuals, namely, the first and the third member of the commission; it is difficult to say, upon what authority the assertion is grounded; secondly, that the embassy having been sent out to China, solely and entirely for the sake of the local interests of the Company in that country, it was not unnatural that the opinion of the persons connected with that interest should preponderate; and lastly, even with respect to the opinion of the distinguished individuals above alluded to, it is pretty clear that it was not a very *decided* opinion, since they did not resolve to act on it.—Mr. Ellis, on the contrary, in his Narrative of the Embassy,

after summing up the arguments on both sides, concludes with the following candid acknowledgment: "It, however, is difficult for persons, arguing from general principles, to appreciate the exact effects of impression in a particular scene, that impression being probably made up of circumstances with which they are unacquainted, or to which they do not assign their proper importance: the only safe course therefore, on such an occasion, is to defer to local experience." *p.* 154.

Finally, the Reviewer includes "Mr. Morrison, who had much experience of the Chinese, and acquired an admirable facility in the use of their language," among those who had the "good sense to consider it as a matter of very little importance, and by no means a point upon which the substantial objects of the embassy should be hazarded." As to hazarding the substantial objects of the embassy; the question having been reduced to one of mere expediency, that was in fact the precise ground, upon which compliance with the ceremony was *declined*:—but with respect to its being in the opinion of Mr. Morrison, a matter of very little importance, we had better hear that gentleman speak for himself:—

In his published memoir upon the late embassy, he concludes a very full and clear

statement of this Chinese, or Tartar ceremony, as it is sometimes called, and the spirit in which it is proposed to all foreign embassadors, in the following words: "These remarks will probably convince the Reader, that the English government acts as every civilized government *should* act, when she endeavours to cultivate a good understanding and liberal intercourse with China; but, since while using these endeavours, she never contemplates yielding homage to China, she still *wisely* refuses to perform by her embassador that ceremony which is the expression of homage." *p.* 143.

It is true, that although always decidedly adverse to a compliance with the ceremony upon general principles, Mr. Morrison did think, at the critical moment at which it was finally demanded and refused, that the peculiar circumstances of that conjuncture might possibly so affect the *immediate* interests of the East-India Company, as to justify a different course; but this is surely something very different from considering it as *a matter of very little importance.*

To return, however, to the gentlemen of the British factory;—it seems that, in 1814, "they had the folly and presumption to put a stop

to the country trade at Canton, and to involve it in their political quarrels"—It must surely be, at first sight, somewhat incomprehensible to an ordinary reader, how persons situated as these gentlemen are, could, by any possibility, be involved by their own acts, in any thing that could be justly termed *a political quarrel;* and that being, by some means or other, so involved, they should have been mad enough, wantonly and unnecessarily, to have recourse to a measure, which it was not difficult to foresee would be in the highest degree unpalatable to the parties concerned; and which actually drew upon them the strongest personal protests from all the quarters interested, and even an allegation of damages, to the extent of some hundred thousand pounds.—Having nevertheless determined to have recourse to such an extreme measure, it would still be difficult to conceive how they, residing unarmed at a neutral port, should have been able to find the necessary means and instruments for enforcing it:—for it was hardly likely that a simple *order*, in such a case, unsupported by power, would be attended to.

The fact was, that a full statement of the critical circumstances in which our intercourse with China at that time stood, was submitted

to the senior captain of his Majesty's ships then at the port of Canton, a gentleman of unquestioned coolness and good sense, and it was through *his* co-operation that the measure in question was carried into effect.—It is not very likely that the select committee could have thus obtained his concurrence in an act, which undoubtedly was attended with much temporary loss and inconvenience to individuals, and in which, if he concurred at all, he concurred, of course, upon his own individual responsibility, if the case had not only not worn on the face of it, the character of folly and presumption, but had not in fact been clearly shewn to have been, one of the highest expediency and necessity.

But let us see how this question has been viewed by the authorities at home.—If it were an act of folly and presumption to stop the country trade, and it had been, as alleged, involved by the supercargoes in their political quarrels, it could not have been a very wise act to suspend, and involve in those same quarrels, the whole of the trade of the East-India Company; in which vested interests were at stake to the extent of some millions sterling.—It will hardly be argued that the East-India Directors could have been, upon

that occasion, so totally and perversely blind to the interests of the Company, as to approve of an act of such momentous, it might be almost said, desperate character, if it had not been proved to them to have been justified upon the strongest grounds of necessity: yet, when coolly and deliberately reviewing the proceedings of their servants in China, in that affair, a twelve-month after, they *did* sanction them with their entire and unqualified approbation.

The case was briefly this: very strenuous and powerfully seconded exertions had been for some time making by the officers of the Canton provincial government, in conjunction with some individuals among the Hong merchants, chiefly in secret, but disclosed occasionally by outward acts, to put down the system by which the Company's servants have hitherto been enabled to put certain limits, both to the extortions of the officers of the government, and the cupidity of the Hong merchants; and almost to say in both instances, "thus far shalt thou go, and no farther." This system was proposed to have been defeated by means of the imposition of various new restrictions on the trade, such as a stricter degree of control over, if not the

entire abolition of, all native agency, through the medium of servants or otherwise—The refusal when presented, or the subsequent rejection unanswered, of all addresses from foreigners, of whatever nature; especially when written in the Chinese character, the only one, in fact, in which they could be read or understood by the parties to whom they were addressed: and, finally, by such a reduction in the number of the Hong merchants, and such a close and intimate association together of the remainder, as might render any division amongst them, with a view to competition, or to any other object in which the interests of foreigners were at stake, impracticable.

Had this change in the trade been suffered to be carried into effect, and consolidated by time, there can be little doubt, that it would have gradually drawn into the coffers of the Chinese, a great portion of that revenue which is now derived from it by the English company and by the English nation, besides raising to a maximum to the English purchaser, the prices of all the productions of China. There can be no question but that when these newly devised commercial restrictions became generally known, and were perceived to be in

active operation, they would be unanimously resisted by all parties. The country trader, the American, and the Portuguese, would all, it is probable, heartily concur with the servants of the East-India Company, in endeavouring to procure their removal. But it by no means follows, that, because this scheme was by the determined conduct of the select committee, thus nipped in the bud, the Chinese local government and mercantile interest at Canton could have been induced or compelled to relinquish it, after it had once been suffered to arrive at maturity, and they had tasted its fruits.—The committee therefore chose their time, or rather they availed themselves of the time for resistance, when they conceived it had arrived, never again perhaps to return. Several casual circumstances occurred to accelerate the crisis: and it fortunately happened that the oppressive measures of the Chinese government had become most odious and intolerable, just at the moment, when the circumstances of the war, having thrown the whole of the trade of the port of Canton into our hands, resistance to those measures could be opposed by us with the best chance of success.—The expedient to which the select committee had

recourse was no other than that which had been resorted to by their predecessors, upon a similar extremity, and with similar success, as far back as in the year 1728.—They resolved to suspend the trade until their grievances should be redressed, or, at least, until the result could be known of an appeal to that supreme authority in the country, from which redress, if not to be obtained at Canton, was alone to be looked for.

It is obvious that such suspension of trade to be effectual to that end, must have been general—and that even if exceptions were admissible, they would have been unjust. The committee had indeed, on many former occasions, shewn how little they were disposed to interfere unnecessarily with the country trade, by suffering it to proceed unimpeded while that of the company was suspended; but the question now at issue with the Chinese involved the interests of all British subjects equally:—it would have been as unjust, therefore, as it was obviously unwise, to have allowed the country trade, a trade of mere indulgence and sufferance, unknown to our laws or the provisions of the charter of the Company, to have engrossed and pre-occupied the market, while that of the Company and

their own marine servants was excluded; excluded too with the sole view to the re-establishment of commerce, generally, upon a more secure and advantageous footing for all parties, an object which nothing but the simultaneous exclusion of all, arfforded any chance of effecting.

The Chinese government was deeply sensible of the advantage it would derive from the resumption of the country trade during the suspension of that of the Company, and they accordingly, in the midst of their negotiations with the writer of this paper, (then third member of the select committee, acting on that occasion for himself and his colleagues.) sent down very plausible addresses to each ship, in succession, inviting them to come up the river and trade as usual, and assuring them that no sort of obstruction existed besides that which was interposed by the servants of the East-India Company. This was exactly what was to have been expected from them: the policy of dividing in order to conquer, is one of which the Chinese are by no means ignorant, and which they have more than once endeavoured to put in practice, in their contests with the English. It was only when they found that they could

not divide our forces, that they yielded us the victory. So much then for the "folly and presumption" of stopping the country trade.

It is stated by mistake in the course of the evidence taken before the Committee of the House of Commons, that the above invitation was addressed to the country ships only—but by referring to the translation of the document itself, which is printed in the Appendix to the Evidence, it will be perceived that it was sent down to *all* the English ships without distinction. The language of the invitation was certainly plausible, and displays the peculiar sagacity and ingenuity of the Chinese, both in their attempts to disconnect the ships from the resident authorities, and also, if possible, to place those very authorities themselves at variance and in opposition to each other; and further by their artful endeavours to conceal their anxiety to renew the trade under the mask of a compassionate regard for the traders themselves, and a sympathy in their supposed sufferings.—It was only their ignorance of our habits and customs that betrayed the Chinese government, in that case, into the use of some statements and arguments, which to us are ridiculous.

It is justly observed by Dr. Morrison, in

his "View of China," that "To make out an argument, they are not nice about a strict adherence to truth; nor are their reasons or premises such as Europeans would generally admit: but granting them their own premises and statement of facts, they never fail to prove that those whom they oppose are completely in the wrong." *p.* 122.

This is stated still more strongly by Mr. Milne, in his "Retrospect of the first ten years of the Protestant Mission." He observes, "If, in her intercourse with foreign countries, China cannot with truth and justice, make all things appear honorable to herself, she makes no difficulties about using other means:—she discolors narrative,—she misquotes statements,—she drags forth to the light whatever makes for her own advantage, and industriously seals up in oblivion whatever bears against her. She lies by system; and, right or wrong, must have all look well on paper." *p.* 25. This may seem harsh; but really affords a very useful key for the true exposition of most of their official documents in which foreigners are concerned, and is applicable to none more so than to the particular one in question, which has been noticed here thus fully, only because it has, by

some accident or other, obtained the honor of a place among the imperishable records of the British Parliament.

After all, it may readily be conceded that the position taken up by the servants of the Company in China, in 1814, was one of perilous anxiety, which, even if they could be supposed to have had no regard to the public welfare, they must, upon the most obvious considerations of private and personal interest, have been most desirous, if possible, to avoid; and which unquestionably involved hazards, such as perhaps nothing short of the concurrence of all the circumstances of that particular case could have entirely justified*.

* It was unquestionably a very bold measure; it is not to be dissembled, that had the provincial government held out, and the trade continued suspended until an answer could have been received from Pekin, the consequences would have been most embarrassing:—all this was foreseen, and of course taken into calculation when *the die was cast*.—This has been thus emphatically described by Mr. Ellis in his Narrative, *p.* 45. "The very *desperation* of the measure required the utmost firmness in carrying it into effect; and in this the Supercargoes were not wanting."—It would seem that their predecessors had a similar step in contemplation, in the year 1755, and were convinced of its policy, but hesitated very naturally, before they incurred the responsibility. They observe, "Grievances will not be redressed here, unless the Super-

But it seems little less than self-evident, that if such a course of proceeding could have been warranted at any time, or under any circumstances, the suspension of the country trade, no less than that of the Company, must necessarily have formed a part of it.

It has been stated that a victory was gained. The result of the negotiations of 1814, was a treaty or compact, in the form of an edict, in which every point which had been made a *sine qua non* in the course of the discussion was conceded.—This treaty has not been perhaps in every point, or in every instance, very strictly attended to; but, taken altogether, the success of the measures adopted by the select committee in that year has been ample and complete: not only the more gross acts of aggression and molestation which gave immediate occasion to those measures, have not been repeated, but the trade, to this day, enjoys a degree of freedom and security not exceeded at any previous period of its history.

cargoes have positive orders from the Court of Directors, to insist on certain terms, and if they cannot obtain them, to leave the port; which they now dare not threaten to do.—Such a step must become the act of the Court of Directors—it is too bold for their agents."

The main point of solicitude, the defeat of the plan for the reduction of the number of the Hong merchants, and of the union together of the remainder into one body, termed a *Co-Hong*, was accomplished the very next year, as far as human prudence could secure its accomplishment, by an edict issued under the immediate authority of the Emperor himself, dispensing with that alteration, and expressly sanctioning the continuance of the existing system :—an edict, which if it had been obtained some months later, and through the instrumentality of the late embassy, would, by those who are competent to weigh its commercial importance, have hardly been thought too dearly purchased, even by the whole expence of that mission.

It may be proper here to guard against seeming, however unintentionally, to exaggerate— The compact in 1814 did not work miracles— It neither corrected the natural disposition of the Chinese government to insult, and to molest, and to extort from foreigners; nor did it deprive them of any part of the power which they previously possessed of shewing it. That compact by no means contained all that was wished, although it did, all that was *insisted upon:* but, even if it had; that man must be

credulous and inexperienced indeed, who would place any very strong reliance upon a paper security of that nature, under such a despotic, and in some respects at least, faithless, government—Still it was *something:* something unparalleled in the history of our commerce with China, to reduce the stern and haughty government of the province in which our trade is carried on, to put its seal to any compact at all. This concession was made with the *utmost* reluctance; the various ingenious devices by which it was endeavoured to be indirectly evaded, when it was found that it could be no longer directly refused, would add some amusing pages to the history of diplomacy. The moral effect, in concurrence no doubt with other influencing causes, is now, as already observed, a matter of experience and of history.

It may be asked, what it was that could have induced the viceroy of Canton to give way? Though this is a somewhat speculative question, it may in answer, be fairly conjectured, that it was because he found, at length, that the English were in earnest, and then became sensible that he had pushed matters too far; and that in the event of their suspension of the trade being so long persevered in, as to come

to the knowledge of the court at Pekin; that court, however otherwise disposed to approve of and concur in his measures, would be a good deal embarrassed and disturbed by the consequences; so much so, that under such circumstances he might find it rather difficult to make out a satisfactory case for his justification.

To complete the history of these transactions, it still remains to be stated, that the defeated party among the Chinese, although they did not resort to any open acts of aggression after the termination of the discussions in 1814, continued for some time to endeavour to retrieve their lost ground by secret intrigues, and especially by endeavours to intimidate the individual who had negotiated the adjustment which had taken place, and who, having become, shortly, after the next in succession to the situation of president of the select committee, was the person upon whom it was foreseen the duty would most probably fall, of watching, and as far as possible, enforcing its execution.

The report of these intrigues naturally excited considerable alarm in England, amongst all persons interested in the trade; and serious apprehensions were entertained, (which how-

ever happily proved groundless,) that the provincial adjustment of our differences could not be maintained, and that consequently, no other resource remained for the preservation of the trade, on the desired footing, but a direct appeal to the court of Pekin—It is observed in the Narrative of the Embassy, that "the Court of Directors having contemplated, under these circumstances, the measure of an embassy to China, submitted their views on the subject to his Majesty's ministers," but that "The president of the Board of Control, to whom their communications were addressed, suggested the expediency of deferring the adoption of any specific measures until further and more detailed information had been received from the committee of supercargoes; for although an appeal to the Imperial government might be recommended or resorted to by them, while suffering from actual oppression, it by no means followed that they would retain the same opinion, if measures of resistance, already pursued at Canton, should prove successful: in this reasoning the Directors concurred." The actual postponement of this measure, in consequence of the above advice, was however a very short one—The intrigues, which threatened a renewal of our differences with the

Chinese government were not developed or suspected to exist, even at Canton, till the month of February, in the year 1815—and yet we find, that "possessed of the requisite information, and supported by the renewed recommendations of their supercargoes, the chairman and deputy chairman of the Court of Directors, in a letter dated the 28th of July, 1815, solicited the aid of his Majesty's ministers to the proposed measure, and the appointment by the Prince Regent, of some person of high rank, as his embassador to the Emperor of China."—*p.* 41.

The measure of an embassy was therefore taken up at the moment when the alarm for the safety of the trade was at the highest, with a just and natural anxiety, unquestionably, to avert a danger of so serious a character, as that which seemed to be impending:—had the measure however been postponed for six months, it very probably would never have been adopted at all; for it would have become evident, from the entire abandonment on the part of the Chinese of any attempt to revive the past discussions, that the peculiar ground for attempting to re-open a diplomatic intercourse with the court of Pekin, at that particular period, no longer existed, and that no

other substantial grounds remained, that had not been almost equally in existence throughout the whole period that had elapsed since the first British embassy, while on the other hand, a great many new circumstances and events had come into operation, which were calculated, very much to discourage the attempt.

The writer of this paper felt so sensible how much the circumstances of the times had reduced the hopes, and augmented the risks attending such a mission, that although he still considered it as a fair experiment, and one worthy of the adoption of the British Company and nation, he declined making himself a party to any direct recommendation of it—A paragraph containing such a recommendation was expunged from one of the public letters requiring his signature, at his express request—and transferred to another, which required only the signature of the president.

At the same time that he states this, nothing is further from his wish than to shift from himself any part of the responsibility for the measure, (which has been alleged, however unjustly, to have failed,) that really belongs to him. On the contrary, he most readily ac-

knowledges that he was for a long period the most sanguine advocate for it; and that he had previously occupied himself, with honest intentions at least, in many fruitless attempts to recommend it to the consideration of the governing powers in this country—But in *his* view of the subject, a mission to Pekin had ever been a measure of conciliation and compliment—never one of expostulation and complaint—an undertaking surrounded with inherent difficulties quite sufficient to make it advisable and almost essential to select, if possible, the most appropriate time for its adoption. By all means to take advantage of the tide when it was favorable, but not causelessly to seek to stem it, when it was adverse.

The tide of court favour at Pekin was certainly very strong against foreign connections of every kind, in the year 1816;—but although the writer of this, anticipating this unpropitious state of things, felt reluctant to concur in an active recommendation of the measure of an embassy, he is very far indeed from condemning its adoption, under the existing circumstances.

The period at which it was deemed expedient to have recourse to such a measure was selected wholly in consequence of the supposed

necessity of the case, and by no means any otherwise of our own seeking. The danger to our commercial concerns in China was apparently imminent, and it was hardly possible for the court of directors or his Majesty's ministers, with a due regard to the important interests at stake, to have hesitated to have recourse to this, the only remaining expedient in their power, for its removal.—The expence, though considerable, yet, compared with the object in view, was trifling: and although success, except within moderate limits, was felt to be nearly impossible, and even within those limits by no mean certain; this is nothing more than might have been predicated beforehand, of a great proportion of the most approved measures of our public policy.

It may be permitted to the Author further to observe, without any reference to the individuals selected, that the *principle* upon which this embassy was constituted, was extremely judicious.—The appointment of a commission in which a nobleman was to preside, with two members of the select committee for his assessors, combined two very essential requisites upon the occasion, which it was impossible to find centred in any one individual, in

an equal degree.—The present expedition was not only undertaken, like the former one, with the sole and express view of promoting and consolidating our local commercial interests at Canton; but it grew so entirely out of the measures which had been adopted by the Company's authorities there, to that end, and was so especially designed to strengthen their hands, and to obtain, if possible, the emperor's confirmation of the provincial adjustment which they had already obtained, that any scheme of an embassy which had not included persons who were locally, and in the fullest manner acquainted, both with what had been done, and with what was still required, would, however complete in other respects, have been obviously worse than useless.

It must in fact be supposed that those who, like the Reviewer, have questioned the propriety of this arrangement, had imagined that the embassy was sent out to rectify the mistakes of the select committee, to retrace their steps, and to adopt some altogether new plan, for the benefit of our commercial interests—but, if even this had been the case, it may be questioned whether an embassy, which however otherwise qualified, was wholly deficient in local knowledge, and an acquaintance with the

manners, habits, character, and language of so singular a people as the Chinese, would have made much progress.

Even with respect to what has been called the *ceremonial branch* of the embassy, it is impossible, consistently with the facts, to contend, that persons who had just before been negotiating, on a footing of equality, precisely the same kind of treaty with the local government; who were known to have been entrusted with the entire local command over the whole of that trade which was the subject of negotiation; and, who had been acknowledged by the Chinese themselves in one of their edicts, to be public officers entrusted with national affairs, were not competent assessors of the British embassador, even in *that* branch of his public duty.

Nothing in fact can be more absurd or injudicious than any attempt to conceal, or keep out of sight, in our negotiations with the Chinese, that our objects are purely commercial, or to dissemble the real and intimate connection that must, in every case, subsist between the inferior, but permanent representation of the nation at Canton, and the more dignified, but only temporary, representation of it at Pekin.

The Chinese do not really believe, though they so express themselves in the official language of their edicts, that embassadors are sent to their court, with the sole view of enabling them to contemplate with more advantage the sublime virtues of their heavenly-enthroned emperor—they are not quite such drivellers in politics. If, therefore, we are so unfortunate as to succeed in persuading them that commerce is *not* our object, *conquest* is the next thing that occurs to them; and as we are thus placed between the horns of a dilemma, we had better remain on that side which is the safest; and we shall probably find in this, as in most other instances, that the honest confession of the truth is, in the end, the wisest and most advantageous policy.

With respect to the instructions which were given for the guidance of the embassador and of his colleagues in the commission, and upon which, as far as they are made public, in the official Narrative, it is, of course, fully open to the author to comment, the only point which he feels disposed to regret, is the omission to provide against that unfortunate difference of opinion, which arose in the progress of the undertaking, respecting the expediency of complying with the Chinese ceremony.

The facts respecting it were not very difficult of access—The subject had been fully canvassed and discussed in the course of Lord Macartney's embassy—His lordship's authority and example were both decidedly against compliance. The result of the trial, which the Dutch embassador soon after made of an opposite policy, was not such as to recommend the precedent.—The history of the circumstances of the rejection of the Russian embassy, in 1806, left little room to doubt that compliance with the ceremony would be most pertinaciously insisted upon—Nevertheless, Mr. Barrow, the individual in this country, who, (besides being eminently distinguished by his talents in other respects) certainly stands first among those who are unconnected with the local interests of the trade, for information respecting China, and who was, of course, specially consulted on the occasion, strongly deprecated such compliance.

After all, it must be confessed, that much may be argued in favor of the safety and prudence of the policy, of leaving the matter to be decided on the spot, according to circumstances. The only evil of this was, that the necessity which was in consequence supposed to exist, of not altogether losing sight of the

possible alternative of compliance, rendered it very difficult to assume such a tone with the Chinese, in announcing a refusal, as should at once convince them that all further discussion upon the business was useless—and the delay, which ensued in consequence, was fatal; for although the point was at length given up by the Chinese, or, at least, professed to be so, on the day before the intended audience, the tardiness of this concession compelled them to have recourse afterwards to a degree of indecorous and unexampled haste, which, as is well known, produced a crisis in the affairs of the embassy, which rendered that concession, even if it had been sincerely made, of no avail.

To return to the embassador's instructions, as developed in the Narrative, they seem, in all other respects, to have been wise and statesman-like.—The embassy was not undertaken with any special view towards the attainment of additional privileges, such as the opening of a new port for the extension of our commerce, or any other of the wild and visionary projects that have been sometimes attributed to it. These objects, however desirable in themselves, and however properly recom-

mended to be kept in view by the embassador, in the event of any favorable opening occurring for their attainment, it was felt, were too little, (upon any rational grounds) to be calculated upon at that time, to justify the expensive experiment of a royal mission.—The experience of Lord Macartney's embassy, and indeed of all the embassies to the court of Pekin, of which we possess any record, is adverse to such expectations. It is unquestionable, that the first embassy produced a considerable moral impression in our favor among the Chinese; and, that if it had been followed up by another, but less considerable mission, pursuing, with similar talents and judgment, a similar line of policy, it might have been attended with very important results.—But the time for this was certainly long gone by.—The Chinese had since seen our troops more than once landed on their shores; and our naval forces had, during successive years, hovered about their coast, with no hostile intention it is true, but in a way, which even the most unsuspicious nation might have considered in some degree questionable.

Under the influence of the impression which these unexplained proceedings must have made

upon the Chinese, connected as it must have been with the vague and indistinct, but at the same time, probably, industriously magnified reports, they would occasionally receive of our wars and progresses in India, they really must have been a most weak, instead of a most sagacious people, if they were not to pause a great deal before they consented to give up any of their ancient restrictions upon foreign intercourse, which had any reference to the maintenance of their external or internal security.

But the object of the embassy under Lord Amherst was one of a much more rational and attainable nature. Its main purpose was—not to propose any innovation, but merely to secure and consolidate, and to restore, in the event of its being found to have been again suspended, the ordinary commercial intercourse between the two countries. Nothing which actually occurred in the course of the embassy, forbids the supposition, that had this object not been, happily, already in substance accomplished previous to his lordship's arrival, it would still have been in his power to have entered into a negotiation upon it with the emperor's ministers, although a refusal to submit to the ceremony of prostration, under the circumstances in which it was demanded, might in

every case, have prevented him from partaking of the pageantry of a public audience.

As matters stood when the embassy actually arrived on the coast of China, so much of what was of probable accomplishment, was already accomplished, that it was impossible to expect that much that was substantial still remained within its scope, beyond the moral influence and effect, which its general conduct and appearance at court, at Canton, and on its passage through the empire, might be able to produce.

One thing, at all events, was deemed to be deserving of paramount consideration. If it were found, that no *good* could be done; at least, to take especial care to do no *harm*—Not to *lose* any of the ground that the select committee had gained—not to *frustrate* the success of the line of policy they had adopted:—not, while studiously, and very properly, cultivating the spirit of amity and conciliation, as far as practicable, to suffer the embassy to be inveigled into any ill-timed and injurious concession, which might exhibit to the Chinese the strange anomaly of a special royal commission, in appearance, less jealous upon points affecting the national honor and independance, than the humbler resident functionaries of the East-India Company.

This is of course meant, *in appearance*, as respects the notions of the Chinese. The Author cannot too often repeat his thorough conviction, a conviction founded on the advantage of a considerable personal intimacy, that no consideration on earth would have induced either of the distinguished individuals, with whom he had the honor of being associated on that occasion, to advocate or sanction any measure, which they believed to be hostile in its character and effects to the honor or interests of their country—But the circumstances, which, in the opinion of the Author, gave to a ceremony, which was innocent and innoxious of itself, a very injurious tendency, were only to be gathered from its *interpretation*, and the *spirit* in which it was demanded:—upon such a question, it was quite impossible for any person who was a stranger to the habits, manners, and language of the Chinese, from his own knowledge, to decide—The majority of the commission did him the honor, in consequence, of deferring upon this point to his opinion; and the evils, which (if he judged rightly) would have been incurred by an opposite course, were thus avoided. He even flatters himself with confidence, that he may say more, and that he is entitled to assert that, taking to-

gether the direct and indirect effect of the late embassy, some considerable good has been accomplished by it—Those, at least, who judge of events by their result, ought to accept the state of the trade at Canton, at this present time, as no mean evidence in its favor.

But, although the ulterior objects of the embassy, neither were, nor could have been attained, it is but justice to the subject to add, that, had an opening for negotiation upon such points existed, every rational means had been provided to ensure success. To the diplomatic talents, disinterested zeal, and conciliating manners of the amiable nobleman who presided, and of the secretary of the legation who accompanied him from England, and who, in consequence of the absence of Mr. Elphinstone, became a member of the commission, nothing was wanting: and, putting out of the question at present the author of this note, there remained still, no less than *five* gentlemen in the suite of the embassy, whose extensive acquaintance with the language, and considerable local knowledge and experience, qualified them, not only to forward its objects as interpreters, but, even to aid its deliberations, if called upon, with their judgment and advice.

Whoever speaks of himself always engages

in an invidious and difficult topic: but the writer of this note cannot here avoid observing, that it is somewhat hard upon him, that the Reviewer, (to whom its now time to revert) in the very same sentence, in which he does him the honor to allude to him, as a person "*every way deserving of confidence and esteem*," goes on to pronounce his nomination to the second place in the embassy (an appointment not very dissimilar to the one which had been held in the preceding embassy by his father) as the very climax of all the follies, which it is implied were committed in the plan and arrangement of the expedition by His Majesty's ministers and the East-India directors:—and this because, as has been already noticed, certain intriguing individuals among the Chinese, whose schemes against the commercial interests of this country he had, in the preceding year, been happily instrumental in arresting, had secretly denounced him as a dangerous person, and had endeavoured, but wholly without success, to implicate him with the Chinese government.

The fact, and the whole fact of this case, was as follows:—A paper, purporting to be a copy of a secret dispatch from the emperor

to the viceroy of Canton, was privately communicated in the month of February, 1815, to the Select Committee, but never avowed or acknowledged in any public manner whatever by the government. In this paper, the emperor appears to acquaint the viceroy that a certain individual, whom he names, had been secretly denounced to him as a person dangerous to his government, and against whom it was proper, in consequence, for the government to be on their guard:—and he concludes, by directing the vicerory to enquire into the fact, authorising him, *if* it should prove true, to take such steps as the occasion might demand—The viceroy soon after replied to the emperor, (a copy of which reply, was, by the same private hand, transmitted to the Select Committee) and said, "I have enquired into the fact—it is *not* true—it is *wholly unfounded;* consequently, I have taken no step whatever in the business." The emperor then professes himself satisfied, and the affair is never heard of more.

No person who has the most distant idea of the spirit of intriguing among the Chinese, the system of *espionnage* that is kept up, and hanging over all the officers of the government, and the allegations and retractions that are

continually passing amongst them, would ever think of building any opinion or argument whatever upon such a basis. The charge was made secretly—in a corner—never avowed—never acted upon, in any way whatsoever—It is true, that the interval between the first communication of the emperor's dispatch, and that of the viceroy's reply, was one of some anxiety, because it was impossible to predict with certainty what course would be pursued; and it was unquestionably among the chances, that the viceroy of Canton might have been rash enough to have acted upon the emperor's dispatch, in a way that would, possibly, have suspended the trade, much more permanently and effectually than the most oppressive of his acts of the preceding season—But it seems, he did not feel it advisable to embark on such a "sea of troubles,"—and on that account among others, probably, disposed of the business in the way already related.

In the course of a few months after this intrigue had thus notably failed, the individual, who was the object of it, succeeded to the office of President of the Select Committee, was consequently engaged in much personal and official correspondence with the officers of the government, and he finally announced

to them officially his nomination as a member of the expected embassy.—Not a word, not an insinuation of objection escaped from any of those authorities—All was acquiescence and approbation; until, some months after, the question of the *Ko-tou* was agitated, and came into serious discussion.—The Chinese government, though they never in the most distant manner alluded to the previous correspondence, then discovered, or affected to discover, that this individual was the adviser of non-compliance—They had accordingly again recourse, as they invariably had done in every case of the kind, to attempts at intimidation—and again failed.

After all; the embassy was rejected, (as it is well known) not on account of the ceremony, (for the mandarins expressly said, "if you will consent to appear at the audience, you may adhere to *your own ceremony*") but in consequence, as already adverted to, of the mismanagement of the mandarins, and the emperor's own haste and caprice—all which is afterwards, in a public Imperial Edict, fully and expressly acknowledged! The contents of this singular document are ably summed up by Dr. Morrison, in his late Memoir, in the following paragraph:—

" Six days after this violent act, the emperor published one of his penitentiary papers, in which he said, he *(puh-jin)* could not bear the idea of our having come so far, and of being dismissed in the way we had been.—He had, he said, now found out what he did not know when he took the harsh resolution, viz. that the embassador had travelled all night; had not been at his own apartments; nor had with him his court dress; 'had I known these circumstances' said the emperor, 'I would have changed the day of audience.' He then proceeded in the same official document to reflect in the strongest terms on the princes and courtiers, especially the duke; who were called to his presence that morning, to all of whom the truth was known, but to mention which none would step forward. He blamed the selfish system which each seemed to have adopted, when they sat before him, and said to themselves, 'the affair does not concern me.' 'Thus,' added he, 'they ruined the affair.' The duke he degraded, by depriving him of the high situation he held as president of the foreign board: *Moo* and *Soo*, presidents of the boards of rites and works, were also removed: *Kwang* was deprived of his situation as salt commissioner, and reduced to the low rank

of a gold button. He was granted the indulgence of wearing his former one whilst with the embassy. He wrote also to the viceroys of the provinces, through which the embassy had to pass on its way to Canton, to give orders to all connected with it to treat it with civility and respect. *Yin* gave it as his opinion, that they would have recalled it, but for what they conceived the very undignified appearance of reversing the imperial decree.—"

Pamphleteer, No. 29, *p.* 181.

From this period to the final departure of the embassy, nothing occurred to interrupt the perfect harmony which was very soon re-established between the several individuals of of the embassy, and the officers of the Chinese government. The last public meeting between the *Chin-chae*, the emperor's representative, and the embassador, is thus described by Mr. Ellis:—

"13th of January—A breakfast was given by Sir George Staunton and the Factory to the *Chin-chae* and the embassador. Although this was the first European entertainment *Kwang* had ever witnessed, his manner and conduct were perfectly unembarrassed, easy, affable and chearful: he seemed to feel him-

self among *friends;* and lost no opportunity of shewing attention to those within his reach."

Thus much the author of this Note has really felt himself called upon to state upon this ungrateful subject, in justification of those who did him the honor to think him worthy to be employed on the public service upon that occasion—It was an employment, which, if he had not thought his acceptance of it might have enabled him to render some service to his country, he had certainly some personal reasons for wishing to decline.

There were unluckily some equivocal circumstances in the constitution of the embassy itself, in respect to the precedence of its members, which, with almost any other individuals besides those with whom he actually became associated, might have been productive of unpleasant differences. Indeed, it would have been absolutely impossible for him to have joined the embassy at all, consistently with what was due to the public situation he at the same time held and retained, of President of the Select Committee, if the Embassador himself had not, in the handsomest manner, removed, as far as possible, every doubt upon

the subject, by declaring him to be, according to his construction of the intentions of His Majesty's government, not only the second member of the embassy, but likewise his eventual successor, to the first place in the commission.

The appointment, in his particular case, while it necessarily exposed him to some expence, was unattended with emolument:— And the situation in which it was not difficult to foresee, his opinions upon the question of the ceremony were likely to place him, of feeling it his duty to give advice in opposition to the wishes and almost the demands, of an arbitrary and capricious despot in the midst of his court, was one which many persons might have considered, not in itself very enviable.

The fact is, that the knowledge of the language, customs, and institutions of the country, which it is the present policy of the East-India Company to encourage to the utmost of their power among their servants in China, a policy, the wisdom of which in all similar situations in *other* countries, seems to be universally recognised, must render the individuals, who possess these acquirements, (however it may conciliate towards them the personal esteem

and regard of the natives in general) in some degree obnoxious, (that is, objects of suspicion) in the eyes of those officers of the government, whose abuses and mal-practices they have been, or may at some time or other be, instrumental in repressing.

The Chinese government has always openly set its face against the acquisition of the language of the country by foreigners. It expressly forbids the natives instructing them in it. It has more than once seized the types, and imprisoned the native type-cutters, who were employed by the East-India Company, at Macao, in preparing for the press, the Dictionaries and other valuable works, which have been composed for the aid of the student of the Chinese language, by the Rev. Dr. Morrison. Still the East-India Company perseveres in giving encouragement to the acquisition of this suspected and dangerous talent. A different course might certainly have been adopted. If not a very wise, it would, at least, have been a consistent policy, to have endeavoured to conciliate the Chinese government, by wholly, and at once, abandoning all such views, and prohibiting, instead of continuing to encourage, the prosecution of these studies—It would save their servants a great deal of anxious toil,

in the first instance; and as it should now seem, some obloquy afterwards.—But it would be no less cruel and unjust towards the individuals themselves, than absurd and inconsistent in itself, first to stimulate them to exert every nerve in the acquisition of this very peculiar and difficult branch of knowledge; and then, the moment that it is called into action in their service, and produces its natural and unavoidable consequences, to turn round upon them and say, it does not signify how much you may be deserving of *our* esteem and confidence, you are considered by the *Chinese*, or at least by *some of them*, as dangerous persons, and therefore it would be the height of folly any longer to employ you.

To the honor of the East-India Company it must be admitted, that, for the last thirty or forty years at least, this has not been their policy; but it certainly appears to be the policy which the Reviewer, and those who think with him, would advocate. Unless indeed, they mean to go further, and to recommend that we should altogether disarm the jealousy of the Chinese, and entirely renounce all that officious curiosity about their language and institutions, which we now find, gives them so much umbrage and uneasiness. This

would seem to be implied by the wish that is expressed, when it is said, that we should "appear purely in the character of merchants, and throw off that *mixed* and suspicious character, which we now think so imposing."— We might then indeed, with perfect consistency, abandon all such ungrateful pursuits: the jargon of Canton, would be a medium quite sufficient for the carrying on of such traffic, as the unchecked avarice and oppression of the local government might still leave unextinguished. With the mandarins and state officers of the province, we should, happily, under such circumstances have nothing to do. To question in any case *their* interpretation of the laws, or mode of executing them, however arbitrary and tyrannical they might seem, according to our notions and feelings, would be liable, as we have seen, to the construction of engaging in a *political quarrel;* and from all such, while we appeared *purely* in the character of merchants, we should of course religiously abstain. The order of the day at Canton, whatever it might be, would be easily made known to the English and to other foreigners by the Hong merchants, through the medium of the Canton jargon, and nothing further

would remain for them to do, but to make their thankful prostrations, and submit in silence.

The example of the Americans, might be here, as it has been in other instances, quoted for our guidance—They, good easy people, do not trouble themselves much about the Chinese language—The Hong merchants do their business extremely well, and they want nothing more—They, therefore, like the merchants and crews of the country ships, (as the Reviewer observes, *p.* 444, calling it a very instructive fact) are quite exonerated by the justice of the Chinese from the charges levelled against the servants of the Company, of being "breeders of disorders" and "makers of disturbances." To be sure; if it were not for these occasional disorders and disturbances; if the servants of the Company did not contend now and then, upon points of vital importance, even with the high authorities of the government itself, and with such means as they possess; if, in short, they did not employ their knowledge of the language of the country in sedulously watching and defending the *outworks* of the trade; it is just possible, that neither the Americans nor the country traders, any more than the Com-

pany themselves, would continue to enjoy their present comfortable quarters within the citadel.—But all is well as it is—and they look no further.

To be serious; it seems almost unaccountable, that this subject should have been taken up by the Reviewer in the manner it has been. It is not a question of whig or tory politics: it is not a personal one; for the Reviewer disclaims, and no doubt most sincerely, all personalities—indeed he has said handsome things of the parties concerned, for which personally, they cannot but feel obliged to him.

The clue to this mystery is probably to be found in the following short paragraph. "Let the Chinese trade, as soon as good faith and the laws will permit, be made free, and we have no doubt whatever, either of its stability or its increase." *p.* 445.

To bring about this result, nothing, no doubt, can be more conducive, than to prove that whatever *is*, is wrong. And, at this point, the Reviewer has certainly laboured most indefatigably throughout the whole of the article. The writer of this note is at the same time perfectly willing to believe, that the Reviewer, relying too confidently upon his

authorities, gave entire credence himself, to the statement he has made; which, it must be confessed, only needs to be well founded, to constitute a most grave case against the Company, and their servants in China; such as it would be even meritorious, as much as possible, to expose.

The writer of this note has heard it rumoured that the Reviewer, in this instance, is a gentleman, whom he has had the honor of personally knowing; an individual of much respectability, and of considerable knowledge in some branches of Asiatic commerce.—However this may be, nothing can be further from his wish than to give pain, in any thing that may have fallen from him in this reply, to any one. But the article itself is public property; and the charges that have been so freely made, being felt to be unfounded, must be as freely repelled. For the reasons, which have been already stated, at the commencement of this note, it was not at first thought necessary to notice these charges at all; and the whole question seeming as it were to have gone by, it is probable that the author never would have undertaken to do so, had not the present publication, not only afforded him a fair opportunity for introducing the subject,

but in fact almost compelled him to do so, in illustration of other questions, with which it is intimately connected.

The strictly commercial part of the Reviewer's remarks, the author has not here undertaken to investigate, though he hopes he has in some measure, and in anticipation, answered them in another place—But the political part of the question, he has certainly examined very fully in this note, more fully perhaps than was necessary; but he will be forgiven for being somewhat anxious, since he *has* taken up the pen, not to lay it down again, without doing his utmost to place transactions, in which he has himself had so large a share, in a right light with the public.

It has not certainly been at any time the wish either of himself, or of those who think with him on these subjects, to stifle a fair discussion and enquiry. All that is desired is, that those upon whom the difficult task of dealing with the Chinese has fallen, may not be hastily condemned unheard, because the whole of their case cannot always, consistently with their public duty, or with the nature of things, be at once laid open to every bye-stander: or because such bye-standers, and still more so, persons living at a distance of fifteen thousand

miles from the scene of action, are liable to take up superficial notions, which a deeper insight into things, would have shewn to have had no foundation. Prejudications of this kind are of little comparative consequence to the individuals themselves, when their conduct has been approved of by all those tribunals to which it is officially amenable: though it is still undoubtedly their honest ambition, to stand clear also before the tribunal of the public, and even to reap the meed of praise itself, when it has been fairly earned. But it is by leading the public, upon such erroneous assumptions, to undervalue the benefits of the system as it is, that these misrepresentations are chiefly calculated to do mischief. We can hardly be expected to be very nice and scrupulous about innovations on a system, which we are already led to believe, is so very bad, that almost any change in it, must prove a change for the better.

The writer of this note cannot finally dismiss the subject without endeavouring also to do justice to the memory of an amiable and respected friend of his, now no more, whose conduct while president of the Select Committee, in recommending the expedition which

was intended to occupy the island of Macao, is stated to have been one of the most notable of the instances of the bad policy, of which the supercargoes are alleged to have been so often the authors.

It is a curious fact, that although that gentleman was afterwards most seriously visited for his conduct upon the occasion of that expedition, and that the advice he was supposed to have given, was one of the principal charges against him, the good or bad policy of the advice he actually *did* give, is a problem which never has been, nor can be solved; for his advice, such as it was, was *not* taken.

The essential condition which he annexed to the advice, or rather to the *opinion* which he gave in favor of the measure, under the then existing idea that there was not a moment to be lost in anticipating the similar design of France, was the acquisition of the authoritative sanction of the government of Goa, to which that of Macao was subordinate, and this, by some unaccountable accident, was omitted to be obtained, or, at least, was not received in China, till it was too late for it to have any effect. When it *did* arrive, all the parties were already too far committed—the intended friendly measure had assumed the character of

an hostile one—the Chinese had been appealed to—and the humiliating necessity to which we were, in consequence, ultimately reduced, of evacuating the island, in order to recover our trade, is notorious.

Although, therefore, the supercargoes were certainly more zealous than discreet, as respected their own interests, in anticipating enquiries respecting the probable reception of the expedition, nothing can be more unjust than to throw upon them the whole weight of the responsibility, either for its original adoption, or for its subsequent failure—It was notoriously in preparation in India, some time before their communication upon it was received there—and had that communication been fully and properly acted upon, there are very strong rational grounds for believing, as already stated, that the result would have been extremely different.

NOTE

RELATIVE TO THE SUSPENSION

OF THE

Trade of the East-India Company,

AT CANTON,

IN 1807*.

THE riots and irregularities which frequently took place when the sailors from the Company's ships were allowed to visit Canton on liberty are well known. An affray arising from this source, of a very curious nature, commenced at an early hour in the morning of the 24th of February, 1807, in a street in the neighbourhood of the European factories,

* This subject has been already noticed; but, as the case is curious, and has been much misrepresented, it is conceived that a fuller narrative of it, taken from the notes which were made by the Author at the time, will not be unacceptable.

Although the privilege of frequenting Canton, on liberty, is no longer expressly granted to our seamen, it is not to be supposed that they do not occasionally proceed to that city, on duty, and even sometimes by way of indulgence—Similar difficulties, therefore, with those here related, may easily recur again, and it is certainly useful to trace the means by which they have been met, and overcome, under the present system.

where the sailors are usually enticed to purchase liquor, and are generally, in the end, plundered of whatever property or money they may happen to have brought with them. On the first appearance of a disposition to riot, the captain and officers of the Neptune, (the ship to which the sailors then at Canton on liberty belonged,) actively interfered and exerted themselves to restore order among their people.—In a short time they were enabled to secure them all within their factory, where they would in all probability have quietly remained, had not the Chinese populace behaved in the most outrageous manner, and collecting together in great numbers, continued during the greatest part of the day, to throw stones at the factory and at every European accidently passing, although the security merchants, and the mandarins on the quay, were repeatedly but ineffectually called upon to interfere and disperse them.

The sailors were so exasperated by this conduct, especially as some of them had actually been severely wounded by stones thrown in at the gate, that they eluded the vigilance of their officers, and twice rushed out upon their assailants, whom they easily and almost instantly dispersed. In the course of these sallies,

however, they had unfortunately the opportunity of striking and wounding several of the Chinese; but there was no reason to suppose at the time, that any individual had been very seriously injured, and no complaint of that kind was made.

On the 27th instant however, three days after the affray, it was reported that a Chinese had died in the city, on the preceding morning, in consequence of the wounds which he was said to have received on the 24th.—The Select Committee of Supercargoes, immediately on receiving this information, sent for the Hong merchant, *Mow-qua*, who was the security merchant for the Neptune, and requested him to use every means in his power to prevent the interference of the mandarins, or the accident being in any manner officially reported to them.—They then learnt from him, that unfortunately the proceedings in this case had already advanced so far as to render hopeless any attempt to suppress the enquiry, especially as the deceased, although an individual of the lowest class, was in some degree a dependant on the family, and therefore under the peculiar protection of the *Chong-quan*, or general of the Tartar troops, a mandarin of the highest rank and influence.

It did not appear that the relations of the deceased attempted to charge the crime against any particular individual; but the evidence respecting the time and place in which the accident happened, was determined by the Chinese magistrate, to be sufficient to fix the guilt upon the sailors of the Neptune generally.—The Select Committee was in consequence verbally called upon, on the 28th of February, and afterwards officially by edict, on the 2nd of March, as representatives of the nation to which the ship belonged, to find out and deliver up the person who had struck the unfortunate blow, that he might be tried and punished according to the laws of China.

The line of conduct, which, however painful to their feelings, it would have been the duty of the Select Committee to have pursued, if the individual could have been ascertained, was sufficiently obvious. The propriety, and indeed, necessity, of complying with the laws of the country in which they resided, by delivering up a person charged, upon any reasonable grounds, with a capital offence, could hardly be disputed.

It was immediately however foreseen, that the discovery of the person, who struck any particular blow, among such a mixed multi-

tude; especially as the wounded individual had not made himself known at the time, would be extremely difficult, if not absolutely impossible.

In the probable event therefore of their failing to accomplish that object and of the Chinese mandarins nevertheless persisting in their demand, the most serious embarrassments were justly to be apprehended. It was impossible to predict what might be the consequence of persevering in an opposition to the demands of such an arbitrary and despotic government; still it was quite clear, that no emergency or consideration of expediency could, for a moment, justify them in deprecating its resentment, by selecting any person for punishment, of whose guilt they were not previously fully satisfied.

To maintain their ground on those points which could not, under any circumstances, be relinquished; and, at the same time, to avoid coming to such extremities with the government as might be attended with the most embarrassing consequences, and occasion at least a temporary sacrifice of the whole of our valuable trade with China, was felt by the Select Committee to demand, from the very outset, the utmost caution and mode-

ration in their proceedings.—The principle which they laid down for themselves upon the occasion, was to omit no means in their power of satisfying the Chinese government, that their endeavours to ascertain the guilty person were sincere; to comply without hesitation with every just and reasonable demand that might be made; and carefully to avoid betraying any disposition to have recourse to offensive or defensive force, unless absolutely compelled to do so, for the protection of their persons and property*.

Conformably to these resolutions, the Select Committee twice appointed a Special Committee, consisting of commanders of the Company's ships, to proceed on board the Neptune, for the purpose of investigating into the circumstances of the affray;—first, immediately upon being apprised of the accident, and secondly, after having been furnished with all the evidence the Chinese government had to produce in support of their demand.

* One of the principal causes of the failure of the supercargoes, in a similar case, in 1784, appears to have been a precipitate recourse to strong measures, and to a line of conduct, which they had not previously decided, in any event, to persevere in.—The seizure, however, by the Chinese, of an innocent person as an hostage, to ensure compliance, no doubt aggravated the difficulties of the case in that instance.

The evidence collected during these successive enquiries, afforded ample proof of the activity of several individuals concerned in the affray, but the Chinese having themselves no clue to offer which might have assisted their researches and led to a discovery, it was found altogether impossible to obtain any evidence by which the offence, specially alleged, could be fixed upon any particular person—The Select Committee in consequence declined proceeding themselves into any further investigation; as all such inquiries, unless they offered a reasonable expectation of their terminating with the conviction of the offender, were found to be only productive of dangerous and inconvenient delay, by encouraging the mandarins in a fallacious hope that their requisitions would ultimately be complied with.

The government still happily refrained from having recourse to any measures of open violence, or from any private attempts at the seizure of any of those persons among the Europeans, whom, in such cases, they consider responsible; but there was every reason to believe that this forbearance, so different from the system of conduct pursued in the case of the unfortunate gunner of a country

ship, in the year 1784, was much less to be ascribed to a spirit of mildness and moderation, than to a consciousness of the weakness of their case, and a distinct perception of the very great additional weight and respectability which the English name had, from various causes, acquired in China, within the preceding twenty years, and which might reasonably have excited a suspicion, that acts of extraordinary outrage and unjust aggression would not be so likely, as before, to be committed with impunity.

The mandarins placed also, it is probable, considerable reliance on the result of their less violent, but almost equally embarrassing expedient, of detaining the ships which were then loading for England.—It was obvious that, at such an advanced period of the season, this detention would be productive of great anxiety and uneasiness to the Select Committee, as well as detriment to the interests of the Company—They consequently suspended the trade generally of the Company, from the 4th to the 31st of March; and continued the suspension specially, in respect to the particular ship Neptune, until the 15th of the ensuing month.

During this interval, the demands of the

government were repeatedly urged in a succession of edicts, issued from the various public tribunals, and also in the course of numerous personal conferences between the Select Committee, and the several mandarins, who had been deputed by the viceroy to communicate with them on the subject, at the factory.

In the public edicts one uniform language of demand was of course adhered to, but in the private conferences in the factory, almost every species of argument and art of persuasion was in turn resorted to.—When the impending rigor of the laws, aggravated by delay, and the still more fatal consequences of the emperor's displeasure, had been expatiated upon in vain, the feelings of the gentlemen of the factory were next assailed by a positive declaration, that the unfortunate Hong merchant *Monqua*, who was security for the ship Neptune, would be the first victim of their resistance:—that his ruin and disgrace would be the inevitable consequence. This was felt to be not altogether an idle threat. The Committee were fully sensible, that the mandarins would feel little hesitation or remorse in proceeding to extremities against that innocent and highly respectable merchant, as they

had already actually ordered the infliction of severe corporeal punishment on one of the Chinese attendants of the ship, with equal injustice. The danger indeed in which that esteemed merchant, who was engaged at the time in very extensive dealings with the Company, was obviously placed, would, in almost any other case, have had the greatest influence upon their determinations.

The mandarins had already availed themselves of several arguments and insinuations, which they hoped might operate, by producing some degree of personal intimidation, though they did not venture, in this instance, to commit themselves in any act of positive or direct aggression. The personal responsibility of the chief of the factory for the murder, in the event of the real offender not being surrendered to their tribunals of justice, was more than once hinted at; and they at length extended this principle of responsibility so far, as to observe to the writer of this paper, (who at the request of the committee interpreted the conversation upon the occasion,) that he, also, would be considered as one of the parties implicated in the transaction, and might find himself among the first sufferers

for it, in the event of the result of the negotiation not corresponding with the wishes of the government.

To this extraordinary and unexpected declaration, after having communicated it to the rest of the English gentlemen present, he replied, that neither the chief of the factory, or himself, would ever shrink from any responsibility which justly attached to them. They certainly, however, wholly disregarded that responsibility which was absurdly and ridiculously attempted to be grounded on a mediation which was unquestionably equally desirable to both parties, namely, the faithful and distinct interpretation of their respective sentiments to each other.—He further observed to the Chinese officer, with the approbation and concurrence of the members of the committee, that although the English were not very liable to be actuated by the impulse of fear, they possessed a keen sense of an insult; and that it was, therefore, absolutely necessary, if the mandarins wished that any further conversation should proceed through the same channel, that they should in future cautiously abstain from all observations of a menacing or personal nature.

It was gratifying to perceive the immediate

and very salutary effect this reply produced, in lowering the tone of the Chinese authorities; and it may be truly said that from that moment, they confined themselves, with little deviation, to that more conciliating and accommodating course, which at length happily conduced to the final and satisfatory adjustment of the dispute.

While the discussions were pending, the Select Committee, conceiving it might have the good effect at least of tending to convince the government, that the discovery of the offender was impossible, permitted the Hong merchant, *Monqua*, publicly to offer, from, himself, the immense reward of 20,000 dollars, to any person or persons, who might come forward and give such evidence as would satisfactorily convict any individual of the perpetration of the supposed murder.—The proposal was universally rejected by the seamen with indignation; although, with a view of rendering it more palatable, the Chinese mandarins repeatedly declared, that the culprit was only required for *trial;* and, that matters would be so arranged, that his life would not be endangered.

This pledge could not indeed have been expected to be very implicitly relied upon,

after the failure of a similar one, given in a much more solemn manner, in the case of the gunner, who was delivered up to the Chinese, in the year 1784. That unfortunate man, at the very same hour that the Committee were invited to the viceroy's palace, within the city of Canton, to hear the Imperial Edict read, which they had been led to hope would have contained an order for his release, was unfeelingly strangled upon the public place of execution without the walls.

A more plausible proposition was afterwards made, by the offer of permission to load and dispatch to England all the other Company's ships, provided the Select Committee would engage, in writing, to make no attempt to send away the ship Neptune, until the existing differences were adjusted. Ignorant however of the precise degree of responsibility that might be considered to attach to so unusual a step, and doubtful how far it might be construed into an admission of the guilt of the sailors of the Neptune collectively, which, as there had been sailors of other ships and nations at Canton, on the day of the accident, they were by no means prepared to do, the Select Committee felt it their duty to decline making themselves a party to any such

arrangement. Though it certainly would have been attended with some temporary advantages, it would have had a prejudicial effect, by diminishing the responsibility of the mandarins themselves for the suspension of the trade, which was suspected to be beginning to be considerable; and perhaps thus leave them at liberty to protract almost without limit the final settlement of a question, upon which the security and prosperity of the trade so materially depended.

At length, on the 31st of March, the Chinese government, appearing convinced that the British authorities were sincere in their declaration of their inability to discover the real culprit, and no less in earnest in their determination not to deliver up any other, granted permission for the re-opening of the trade in respect to all the ships of the Company, excepting the Neptune, on the condition that all the sailors of the Neptune, who had been concerned in the riot of the 24th of February, should, as had been before offered, be brought up to Canton, for the purpose of a personal examination of them by the Chinese mandarins themselves, at the British factory, and in the presence of the Select Committee; who likewise readily stipulated, that if any

individual should be fairly convicted of the murder in the course of the inquiry, he should be delivered up without hesitation.

It was not to be expected, however, that the arrangement to be made in so novel and unprecedented a case, as that of a Chinese court of justice holding its sittings within the precincts of the British factory, and subject to have its proceedings controlled by the presence of the British authorities, would be effected without much discussion— In fact, the Chinese strongly insisted for some time, that examinations of this judicial nature could only be carried on at the regular tribunals within the city, and that they should also have the liberty to employ engines of torture to draw from the sailors the required confession; both which points they finally relinquished with much apparent reluctance, and only because they were peremptorily refused.

Under the unusual restrictions thus imposed upon them, the Chinese judicial officers felt very much at a loss how to act; and being sensible of the disadvantages to which they exposed themselves, by undertaking an enquiry which was likely to prove fruitless, and yet must naturally be considered as final, they became extremely averse to opening the

proceedings at all, wishing, as originally demanded, that the Select Committee would themselves undertake the enquiry; but this having been already effected to the utmost extent in their power, was decidedly refused.

The mandarins, under these circumstances, and finding that the Select Committee had decided not to detain the seamen at Canton, on any other terms, and that in fact, any long detention of them might lead to a renewal of those unfortunate scenes of riot and disorder, which both parties lamented, commenced their examinations in form on the 8th of March. The *Quang-cheou-foo*, or governor of the city, presiding, with a court of six other officers, as his assessors.

Although most of the forms and solemnities of a Chinese court of justice were observed upon this occasion, the British authorities had the satisfaction of obtaining the concession in their favor of every essential point of etiquette. Seats were specially provided for the captain of his Majesty's navy then in China, the members of the Select Committee, and the secretary of the board, within the limits of the court: arrangements were also made, by which minutes could be regularly taken down in English, as well as in Chinese, of all

the proceedings; and two marines from His Majesty's ship were allowed to keep guard with fixed bayonets, at the entrance of the factory, in view of the court, during the whole of the proceedings.

The mandarins did not attempt to produce any Chinese evidence whatever againt the men of the Neptune; and when called upon by the Select Committee to do so, they acknowledged that they did not possess any that was conclusive. They proceeded therefore to put a few simple questions to each of the seamen, through the medium of the Chinese linguist, and, (as might have been expected) obtained no answers, (with the exception of the fact of their having been in liquor, which was generally acknowledged,) tending in the least degree to criminate any of the parties.

Captain Buchanan and his officers having however been questioned respecting the conduct of each of the seamen, as they were successively brought into court, readily acknowledged that a great proportion of them had been troublesome and disorderly; and eleven of those, who were recollected to have been the most active, having been particularised, the mandarins intimated their intention of returning to examine them, separately from

the rest, on the succeeding day. The second examination however proved as inconclusive as the first; and the commander and officers of the ship having assured the mandarins, that they considered the eleven men to have been all equally active, and therefore equally guilty, it might have been supposed that, had the attainment of justice only, and a due execution of the laws, been their sole object, these purposes might have been sufficiently answered, by decreeing some punishment on those eleven sailors, who were acknowledged to have been disorderly, proportionate to their misconduct.

There was, however, but little real reason to hope that such an adjustment of the business was practicable. It was upon record, that a man had been killed, and the magistrate having failed to discover the perpetrator of the deed, each and every individual, connected with the administration of justice on the spot, from the petty local judge up to the viceroy of the whole province, was, according to the severe and undistinguishing policy of the Chinese law, liable to more or less censure and punishment for the failure.

An avowal of the real state of the case would indeed, perhaps, sufficiently account

for the impracticability of fixing the crime on any individual culprit; but, even if such a justification would be admitted in the superior tribunals of China, the mandarins would have been unable to offer it, without at the same disclosing their own disgraceful neglect of the police, and their want of vigilance and exertion, in checking the riotous disposition of the Chinese populace, at the time the unfortunate occurrence took place.

Without therefore imputing to the provincial government any sanguinary desire to sacrifice the life of a European, or even an inclination to provoke further discussion upon a subject, which however embarrassing to the Committee, was little less so to themselves, it was evident, that the pursuit would never be relinquished by them, nor any mutual understanding on the subject accomplished, until some individual could be selected, so as to render their enquiries apparently successful, and, in some measure, maintain the credit of the local administration of the province, as well in the eyes of the people, as in their own statement of the affair to the emperor.

The arrangement, which the Chinese mandarins devised, for the purpose of relieving

themselves from this difficulty, was to fix, without any further evidence, and, in fact, almost at random, upon some one individual; but, at the same time, to render the delivery of the person of such individual into their hands unnecessary, by shaping the charge against him in such a way, as should effectually acquit him of all ill-intentions; under which circumstances the nominal punishment would be redeemable, by the Chinese laws, by the payment of a trifling fine.

This plan, provided no unwarrantable conditions were annexed to it, was one to which the Select Committee had certainly no right to object; and, as it realized every substantial object they had in view; namely, the renewal of the trade, without the sacrifice, or even the exposure to danger, of the life of an innocent person, or any other disgraceful compromise or concession, it was, in fact, under all circumstances an extremely satisfactory arrangement.—The Select Committee, at the same time, most decidedly refused to sanction, or in any manner whatever to become instrumental in, any of the fictitious statements of the affair, which the Hong-merchants represented to them, would proba-

bly be adopted by the mandarins with a view to facilitate the proposed adjustment: to a general acknowledgment, however, from Captain Buchanan, that the eleven sailors had all of them struck Chinese in the course of the affray, they had no difficulty in consenting.

The mandarins accordingly assembled for the third time, on the 13th of April, to conclude their enquiries, and proceeded, upon the slight grounds they thus possessed, to pronounce a decision against one of the seamen, named *Edward Sheen*, desiring that the rest should be dismissed to their ship, to be punished by their commander, in such manner as he thought proper; but, that the individual selected should be retained in the British factory, under the charge of the British authorities, until the emperor's pleasure was known.—At the same time, permission to load the Neptune was granted; so that the suspension of the trade, on account of the unfortunate affray of the 24th of February, then in effect terminated.

The subsequent proceedings were of little consequence—The sailor, *Edward Sheen*, continued to reside at the factory, (accompanying the establishment, during the summer, to

Macao) until the following year; when, the emperor's sanction to the sentence of accidental homicide, redeemable by a nominal fine, having been received from Pekin, he was dismissed to England, by the Select Committee, with the express consent and approbation of the Chinese authorities.

NOTE

RELATIVE TO THE

Suspension of the Trade in China,

IN 1814*.

As the measures adopted by the merchants of India, in consequence of the detention of

* This Note was written by the Author, in China, in October, 1815, in reply to the remarks on the subject, which were communicated to him by a friend, and which were stated to have proceeded from two gentlemen, learned in the law, in India. The question here debated, was afterwards naturally conceived to have been set finally at rest, by the decided approbation and sanction which the conduct of the Select Committee received from all the superintending authorities at home. But, it has notwithstanding been, recently, in some degree revived, by the printing of certain papers relative to it, in the Appendix to the Committee of the House of Commons on Foreign Trade. The Author has therefore felt himself called upon to introduce here a rather more detailed vindication of the measures adopted, than that which he has already had occasion to offer, in his remarks on an article in the Edinburgh Review.—Still he cannot pretend to have done any thing like full justice to the subject—The materials for its *complete* elucidation, are alone to be found, where of course it is most natural to look for them, in the records of the East India House.

their ships at *Chumpee*, during the discussions of last season, must be considered as chiefly grounded on the opinious given them on the subject by their legal advisers, the shortest and most convenient mode of bringing into view the merits of the question, will be to commence with an examination of these opinions, taking, in the first place, that of Mr. ———.

It is here very satisfactory to find a great deal of preliminary argument and discussion saved, by the fair and candid manner in which he opens the subject.

He observes, " There are two points in this case, one of law and the other of fact, which must, I think, be considered as indisputable: the first is, that the Hon. East-India Company have the exclusive right to trade, both directly and circuitously, into and from China, in every branch of merchandize, and that they have also a complete monopoly of the trade in tea, in every place within the limits of the Company's trade. I can discover no limitation of this general monopoly, either in the recent, or the former Acts of Parliament.— The words, ' and the whole, sole, and exclusive right of trading and trafficking in tea, into and from all islands and ports, havens,

coasts, cities, towns, and places, between the Cape of Good Hope and the Straits of Magellan,' which are introduced in the 2d clause of the 53d of the King, c. 155, and which might, at first view, be supposed on the principle of the maxim of 'expressio unius est exclusio alterius,' to give the subject a right to trade between India and China, in all articles but tea, cannot be understood to convey any such limitation of the general monopoly of the trade into and from China, which is granted by the words of the same clause immediately preceding the words quoted.—These words do not imply an admission of a free trade, in every other article than tea, into and from the different places therein described, but they are intended to convey to the Company an additional monopoly of the trade in tea, in those places, where, by the operation of the new charter, a free trade in all articles would otherwise be granted. Neither do the provisions of the 54th Geo. III. c. 34, for allowing British subjects to trade and traffic circuitously between all places within the limits of the charter, convey any limitation of the monopoly of the China trade; for in that Act, the dominions of the emperor of China are always excepted from those places with

which the circuitous trade is allowed—Neither do I think that the right to this close monopoly can be affected, in a legal point of view, by any of the circumstances alluded to in the case, under the head of objections alleged by the parties. Some of these circumstances are certainly of great political importance, and would well deserve the attention of the Legislature, if the Court of Directors were to make any capricious use of their power, to restrain or prohibit the Indian-Chinese trade. But, in point of law, I think that long usage cannot, in the present case, confer any right on the Indian trader, because the usage is founded on permission, and is only made up of a succession of voyages, performed under general or specific licences.—Neither do I think the fact of the Company's inability to avail themselves of the monopoly, to its utmost extent, from the impracticability of carrying on every part of the Indian-Chinese trade, can invalidate the legal right, which is expressly conferred on them by statute, of preventing all trade but their own, however it may bring in question the policy or propriety of such prevention, when applied to the trade between British India and China."

"The second point is, that all the trade

between the British settlements and China has hitherto been carried on, either under some general or specific authority, conferred by the Court of Directors, or by their governments in India; and, that all who are thus authorised to trade into and from China, bind themselves to obey such rules and regulations, as the Company may issue for the government of the trade, and also to obey certain orders and regulations issued by the supercargoes."

After perusing these broad and distinct admissions of the counsel of the complaining party, it cannot but appear extraordinary that they should imagine that there was a rational ground still left them for maintaining their pretensions—We could hardly have imagined, that it would have been contended that the Company could not legally suspend for six weeks, during a negotiation for privileges, a trade, which it is admitted that they have a *legal right to prevent altogether;* which is carried on *under their authority*, and by persons *bound to obey their rules and regulations.* The above description of the terms of the subjection of the country trade, to the authority of the East-India Company, is an acknowledgment that it stands precisely upon the same

footing in respect to that authority, that that private trade does which is carried on by the commanders and officers of their own service. No one, it may be presumed, would go so far as to assert, that the Company had no right to suspend or intermit their *own* trade, because, by so doing, the private trade of the said captains and officers must, of course, be suspended or intermitted also.

Some kind of distinction is indeed affected to be drawn between the Company and their constituted authorities in China; but such distinction can never be maintained. The powers of the company would be perfectly vain and nugatory, if they could not be delegated to their representatives upon the spot, where they could alone be exercised—and, in point of fact, so direct is the delegation of this trust, and so entire the confidence that they deem it expedient to repose in their representatives in China, that they have rendered them wholly independent of the authority even of the governor-general of all India. They are no doubt bound by the tenor and general spirit of their instructions from their employers—and responsible for any improper or unjustifiable deviation therefrom; but that is a question, only between the super-

cargoes and the Hon. Court of Directors, and not one which, as such, in any manner regards the private trader.

The Select Committee, indeed, were induced last season, with the view of giving every satisfaction in their power to the individuals interested in the trade, to order to be laid before them, a statement of such circumstances connected with its suspension, as could at that time with safety and propriety be communicated*—and they had hoped, that this communication (which was in itself perfectly gratuitous) would have reconciled their minds to the expediency and necessity of the measures pursued, notwithstanding the temporary evil and inconvenience that might accrue from them; but it was far from either being professed or intended to lay open the whole case at issue—such an entire disclosure of the facts connected with the late important negotiations, it will be in the power of the Court of Directors to make, whenever it may be deemed necessary: but, on the spot, and while the discussions were actually going

* This document is printed (but evidently from a very defective copy) in the Appendix to the Report of the Select Committee of the House of Commons on Foreign Trade.—*p.* 428.

on, the publication of many of the most important details would have been highly dangerous, and indeed impracticable.

It is further observed, that "The case resolves itself into three questions, first whether the act of suspending the private trade was within the scope of the supercargoes authority; and, if so, whether it was justified by the circumstances under which it took place; and, thirdly, whether the order they issued was binding upon the country trader."—These questions might seem to have been already decided (at least, the first and last) by the writer's own admissions; but, as he comes himself to an opposite conclusion, we shall first consider the merits of the question somewhat more at large, according to his division of it, and then examine into the validity of his objections.

First, as to the suspension of the trade being within the scope of that authority. It will, in this place, certainly not be expected that instructions can be produced, specifically applicable to a concurrence of circumstances altogether so extraordinary and unprecedented; or specifically ordering or authorising a measure, which since the last instance of the kind in 1728, had never been found necessary.

It is surely sufficient to shew, that the spirit of the instructions, and the general character of the authority given to the supercargoes, are such as to justify, even under ordinary circumstances, a very extensive degree of control and interference. Their instructions, in fact, taken together, imply the existence of this power, as strongly as any words can do, in a case not already specially provided for.

All the Company's dispatches to their servants in China are specially directed "To the Supercargoes, &c. for all the affairs of the English nation."

Every country ship, on her arrival in China, has been furnished for many years past with orders and instructions from the supercargoes, in conformity to the express *Orders of the Court of Directors*, beginning with the following words:—"We, the supercargoes, &c. being authorised and empowered by the Hon. the Court of Directors, and by sundry Acts of Parliament, to control you in circumstances which may embarrass us with the Chinese: We give you the following orders."

The Court of Directors, in the Company's petition to the House of Commons for a renewal of the charter, describe their establishment in China, in the following terms:—

"Your petitioners entertain in China, for the purpose of that trade, a regular establishment of servants, called supercargoes, and others of an inferior rank, whose business it is to keep up a connection with the few merchants, or more properly mercantile officers, of the Chinese government, who are deputed to manage, on the part of the Chinese, all the commercial transactions between Great Britain and China. By this means, the trade has been cherished and preserved through, and notwithstanding, many perils arising from circumstances apparently trivial, and the fatal consequences of which could only have been averted by the most delicate conduct, and *by the whole Commercial Concerns of the British nation being confided to one United authority.*"

East-India Papers, p. 264.

The minutes of the evidence before the Houses of Lords and Commons, in 1813, of James Drummond, Esq. late chief in China, captain Horsburgh, a commander of a country ship, and Daniel Beale, Esq. a private merchant, long resident in China, all concur in pointing out both the necessity, and the actual existence, of a right of controlling the country ships by the supercargoes, in the strictest manner.

Lastly, the very necessity of the case, it might have been supposed, would have superseded the need of much argument. The responsibility of the chief of the nation, which even in regard to His Majesty's ships, it has been the constant practice of the Chinese to insist upon, of itself requires, unless disclaimed, a correspondent control.—In respect to His Majesty's ships, who only visit China occasionally, and do not enter the river, or engage in commerce, it is allowed, that the Chinese government would admit of no other organ of communication than the Select Committee, and that they forced them forward as parties to the negotiation—How much more certainly would they do so in respect to private ships—The case of the gunner of a country ship, who was the innocent occasion of the death of a Chinese in 1784, is well known—but it is perhaps not equally so, that, previously, in the year 1781, when a private English ship committed outrages in the river, the Chinese government actually ordered the Company's supercargoes to be seized at Macao, as hostages for the offence of the captain of the private ship, although his acts were not only committed without their consent, but in spite of their repeated and strongest remonstrances. The Portuguese government

refused to become parties to the seizure of the supercargoes, and that indignity to the national flag was thus prevented—but the government issued an edict, unparalleled even in China for its insulting language, and laying the whole blame upon the supercargoes, who being resident, and knowing the rules of the place, were accused of evading their duty of controlling and restraining the ignorant people of their country, who frequented the port.

The existence and the necessity being thus shewn of powers of strict control being lodged in the representatives of the Company and nation in China, which representatives (in the absence of any public minister, or king's consul) are indisputably the Select Committee of supercargoes for the time being, it is impossible to give any consistent explanation of the term *strict control*, which does not clearly include power to suspend the trade during a negotiation—To deny the right to suspend the trade, is obviously to deny the right to negotiate—it would be to deprive the foreign trade in China of that power, which has been the only barrier hitherto, against the encroachments of the Chinese, personal and commercial—and to which alone, in fact, the trade at present

owes its existence. The Company's records in China, from the earliest periods, are filled with accounts of their discussions with the Chinese, for the prevention of insult and oppression, and for the preservation or acquisition of privileges—and the oppression thus averted, and the privileges thus gained or preserved, it is material to add, are not only, not exclusively the Company's objects, but not even exclusively British objects.—They are, nine times out of ten, objects in which every foreigner, visiting the port of Canton, is, in proportion to the extent and permanency of his concerns, equally interested—The individual indeed, who engages in only one single adventure to China, has, strictly speaking, no interest, beyond his returning cargo—mere prospective evils—though they should extend to the massacre of all the foreign residents, and the confiscation of all foreign property, the day after his departure, do not affect him:—but no person will pretend to assert, that individual interests, thus narrowly considered, can be attended to.—We do not state this extreme case, with any invidious view, or as likely to occur, (although cases are easily supposable, and even probable, in which the departure of a country ship, with-

out a port-clearance, might leave the persons and property, remaining in the power of the Chinese, in a very critical predicament) but merely to shew, that private and temporary interests are necessarily so remote from public and permanent ones, that individual traders cannot be, by any means, either unbiassed or competent judges of public measures.

There is no point better established, than that it is a part of the present system of Chinese policy with respect to all foreigners, the English especially, to restrict and restrain them to the utmost to which they will submit, but not to drive them to despair, and thus destroy a trade which is become of considerable importance to the Chinese empire, and absolutely essential to the prosperity of one of its provinces—The union and firmness of the English opposes a barrier to their encroachments, which they have hitherto been unable to pass.—Although the imperial sanction has been repeatedly obtained for the various restrictive measures, which the provincial government has proposed, such as, in 1813, establishing a *Co-hong*, that is, in effect, reducing ten merchants to one, and thus producing a commercial monopoly, which every trader to China, knows, would be nearly

equivalent to the shutting up the port; and in 1814, making bankrupts of *seven* out of *ten*, which would have amounted in the end to the same thing. These several projects have been successively abandoned, and the trade permitted to proceed in its usual train. The difficulties which have been experienced by the Select Committee in resisting the designs of the Chinese government, have no doubt been very great, and they have been lamentably encreased by the impatience (to say the least of it) of persons of their own nation. They will however feel it their duty to persevere with the same zeal and firmness as ever; but without a cheerful obedience from those under their authority, and the decided and cordial support of their employers and their country, they can certainly entertain little hope of final success.

As to the insinuations thrown out, of its having been "the object of the committee to rescue an acknowledged criminal from the operation of those laws to which he was amenable, and to secure their factory from intrusion" —they are the most complete misrepresentations of two of the many grievances complained of, that can be imagined—The Chinese alluded to, was *not* an acknowledged criminal, and *no*

attempt was made to rescue him from the laws of his country. The committee's interference was confined to the demand of a disavowal of an intention to reflect by his seizure and punishment, either on the British nation or its representatives. As to securing the British factory from intrusion—it may be observed, that *intrusion* is a very light term for the entry, without notice or cause assigned, of a police officer with his retinue, into a residence immediately distinguished by the national flag, and hitherto considered by foreigners as an inviolable sanctuary. If the inviolability of the Britsh factory were not maintained—what would become of the security of other foreign residences of less distinction and pretensions? It is therefore no small proof of the extraordinary lengths to which the bias of the counsel and his clients has carried them, that a point of such essential importance to the comfort and security of every foreigner who sets foot on shore at Canton, is represented as a mere private and personal consideration.

EXTRACT

OF A

LETTER ON THE PROPOSITIONS

ENTERTAINED

Relative to the China Trade,

IN 1819*.

"In the Memorial of the Ship Owners of the 19th of August, 1819, considerable stress is, in the first place, laid on the trade between China and the north-west coast of America. This trade is, I believe, already open to British merchants generally; furs are, no doubt, in considerable demand in China, and therefore,

* The letter, of which the following is an extract, was written by the Author in February, 1820, in reply to an application, which was made to him officially, at that time, for his opinion on the question under consideration; and he has been induced to insert the greater part of it in this place, as it contains some remarks on the subject, which could not be conveniently introduced elsewhere, and makes the series of these papers complete.

if British manufactures are equally so on the north-west coast, I should presume that that trade might be successfully carried on *without* the further privilege of taking in return cargoes at China for the European market: if not; the question simply resolves itself into the general one, of the expediency of opening the trade between the port of Canton and the continent of Europe.

"With respect to the expectation expressed in the next paragraph of the memorial, of a commercial intercourse with other parts of America, Cochin-China, Borneo, Celebes, &c. being capable of being established with great advantage:—I should wish to know on what precise grounds this expectation rests.—As to Cochin-China, Borneo, &c. the poverty and semi-barbarism of those countries, appears to me to forbid any sanguine expectations of doing much in those quarters. In Cochin-China the attempt to establish a trade has been made more than once, and as often been defeated, through the sovereign's extreme jealousy of the English; and I have not heard of the Americans having taken any advantage of our absence; though as they do not enjoy a similar repute for power, they are not objects of a similar jealousy and suspicion.

"The increase of the American trade to China in 1817-18, to 18,000 tons navigated by 1,500 seamen, is next adverted to; but does not appear to me, (unless supported by some further information,) to supply any argument at all upon the present question; as it is not their *home* trade, but their carrying trade only, with which it is wished to be enabled to compete.—The population and resources of the United States of America are very considerable, and rapidly increasing; and there cannot therefore be a doubt, but that a very large, and probably the chief portion of the above-mentioned tonnage was occupied with supplies for their home market.—Besides which, I imagine that, in point of fact, the American trade with China so far from having been constantly progressive in its increase, is not yet even, equal to what it was in 1805 and 1806, previous to its suspension during the war with England.

"Instead therefore of stating what the American trade is generally, I think it is incumbent on the memorialists to shew what the amount of their *carrying trade* from China is, to what ports, and in what articles, stating their estimated amount and value. We shall then have gained one step towards ascertaining

the quantum of advantage likely to be derived from the concession they solicit, provided it shall appear that it can be granted in a way that is innoxious to the trade already existing. I say *one* step, because it will be also material to ascertain, both that such opening for trade is likely to prove permanent, and also, that some certain portion of it can reasonably be relied upon, as capable of being transferred to the merchants and capital of Great Britain. Now, as to that part of it which may be contemplated to arise with the independent or insurgent colonies of Spanish America, I have no data whatever on which to form an opinion; but I believe it will be found that that part of America at least, which remains subject to Spain, is already amply supplied both with the produce of China and of British India, through the channel of Manilla.

"I cannot also see any reason to think that those nations of Europe which were heretofore, and probably are still, the chief consumers on the continent, of China produce, namely the Swedes, Danes, Dutch, French, and Portuguese, will not soon (if they have not already done so) re-establish their respective factories at Canton, and thus

supply themselves, as formerly, with their respective wants.

"As far therefore as the information goes, which is as yet before us, there really seems to be no ground whatever for supposing that any very considerable and permanent opening for British capital and trade could be found in the quarter that is contemplated, I mean in respect to return cargoes from China; and as to the exports to China of the manufactures and productions of this country, I believe the records of the East-India Company will be found to afford the most undeniable proofs, that this branch of the trade has already been pushed by the Company to the utmost possible extent, often at great positive loss; and that they moreover permitted an agent of Sir Robert Peel, and I believe others, to frequent China, for the express purpose of endeavouring to promote the same object.

"From all the foregoing considerations, I think it may be fairly inferred, that there is no adequate temptation for putting to the smallest risk the trade which we now possess; a trade, which already supplies this country in a very satisfactory manner, with an article in such universal demand, as to be felt to be little short of a necessary of life, which pays

into His Majesty's exchequer, in a manner which is comparatively little burthensome, between three and four millions of taxes; which affords a vent for the disposal of about a million sterling in value, annually, of our manufactures and production; and the immediate profits of which are both very considerable, as well as extensively diffused by different channels throughout the British community.

"The memorialists, however, state, that they are ready to submit to 'every requisite regulation for the peculiar interests of the Company;' but, in another place, they seem almost to question the necessity of any regulations whatever; when they assert, 'that the fears formerly entertained of disputes arising out of a freer intercourse with the Chinese, to the probable annihilation of all trade with that singular people, are wholly groundless;' and further, that they conceive it manifest that 'no detriment can arise to the Hon. East-India Company, from allowing British ships to convey cargoes from Canton to foreign markets in like manner as now practised by the Americans.'

"At the period of the discussions which took place on the occasion of the renewal of

the Company's Charter in 1813, a much larger question than the present was then opened; and it was argued upon similar principles, and on the ground of the example of the Americans, that the real interests of this country would be best consulted by the *entire* abolition of the Company's exclusive privilege in respect to the trade with China. I submitted at that time to the late Lord Buckinghamshire, at his lordship's request, a few remarks on the subject, which were afterwards printed among the papers laid before the East-India Proprietors upon the same occasion, and to which I now take the liberty of referring you; nothing having since occurred in the course of my subsequent experience and reflections upon these points, to lead me to take a different view of the subject.

"I feel, on the contrary, very much confirmed in the opinion I then entertained and expressed, that, in the first place, the Americans and other foreigners who frequent China, do not by any means trade to that country with the same advantage that the English do; and, secondly, that although they do unquestionably participate in the privileges, commercial and political, which, partly by toleration and connivance, and partly by

express concession, the trade generally at present enjoys; those privileges having been obtained almost wholly through the exertions of the servants of the English East-India Company, and in the course of most anxious and seemingly hazardous negotiations with the local government, would not otherwise, in all probability, have been enjoyed by the foreign trade at all;—that, on the contrary, the entire commercial intercourse between foreigners and the natives at Canton, must, without such intervention, have been inevitably left at the mercy of the interested combinations of a few privileged merchants, and of the unchecked violence and rapacity of a corrupt provincial government, 1,500 miles distant from the seat of the empire. It would not, indeed, have been in any case the interest or the design of those merchants and mandarins to crush or drive away the trade entirely, but they would have taken especial care, by the enforcement of harder bargains on the one hand, and the extortion of larger exactions on the other, that the profits of the unfortunate foreigner should be reduced to a minimum; and it is an apprehension, *not unsanctioned by experience*, that the Chinese, in their zeal to effect that object, might over-

reach themselves, and drive away the trade altogether. The above, I believe, will be found to be the precise history of our voluntary abandonment of the trade to *Chusan* and *Amoy*, two Chinese ports, admittance into which we subsequently sought in vain to regain. Our trade to those ports, had not, it seems, acquired that degree of weight and influence, which, under an efficient management, might have enabled it to stem the torrent of rapacity and extortion which finally overwhelmed it.

"I cannot better illustrate the opposite side of the picture, than by quoting (from memory) a secret report from the viceroy of Canton to the emperor of China, in 1814 or 1815, in which he feelingly deplores the arts and machinations by which the servants of the English East-India Company had contrived to raise the prices of the worthless productions of their country extravagantly high; while they had, at the same time, depressed those of the invaluable commodities of China so low, that the native merchants were defrauded of their just profits, and reduced entirely under the grasp and influence of those encroaching foreigners.

"The viceroy proceeded to propose to the

emperor, a remedy to the evil; and one which would certainly have proved a very effectual one, had it been adopted: but those foreigners, under the sanction of the approving authority of their employers, nevertheless persevered in resisting the imposition of the intended restrictions: the viceroy was in the end compelled wholly to abandon his remedy, and the trade continues to this day unshackled, and on its former footing.

"There cannot surely be a stronger proof of the efficacy of the system under which our trade to China is at present conducted, than the existence of such hostile complaints and allegations against it, and the subsequent failure of the attempts made by the Chinese for its subversion.

"I have here contended that the Americans do not participate in all the advantages which we enjoy in China; and that many of those advantages in which they *do* participate, they owe to us, and to our exertions: but if all this were left out of the question; if it could be successfully controverted; still the case of the Americans would not warrant us in the conclusion, that their trade and ours could be safely conducted on similar principles.

"It is true that the jealousy and suspicion

with which the Chinese regard foreigners, extends more or less to all, without exception; but it is equally certain that the difference between their feelings in respect to the English, and in respect to any other people (the Russians perhaps excepted, who *are* excluded from the port of Canton,) is extreme in point of degree. Indeed it is impossible that it should be otherwise, or that that sagacious people should look with the same eyes upon the mere trader, and upon the people of a nation whose armies have subdued, to their knowledge, the greatest part of the empire of Hindostan; who have lately humbled and defeated one of their own tributaries, the Nepaulese; who have twice landed in very formidable, if not hostile array on their own shores, (expeditions to Macao in 1802 and 1808;) and whose ships of war, though frequenting China solely for the purpose of protecting the trade, have inspired the greatest terror, and in one of the imperial edicts, are noticed in a manner which evidently supposes them to be connected with some direct design of affecting a hostile landing in the country.

"To meet and allay jealousies which have such natural causes of excitement, the utmost

degree of order, good faith, and general propriety in the conduct of all parties concerned, and of firmness tempered with moderation, of unity of counsel, and effective power of control in the principals, proportionate to their authority, and the responsibility imposed upon them by the Chinese, seem to be absolutely indispensable.

"These facts and arguments have always appeared to me decisive against the entire abrogation of the present system of the China trade; but they are, I conceive, equally so, against putting it to hazard, by any *qualified* measure, which, while it professed to leave the trade with the Company, should be found to deprive their servants, in any material degree, of their present means of carrying it on with safety and advantage.

"The admission to the port of Canton of any considerable number of British ships, navigated by British seamen, but belonging to no established marine, and wholly unhabituated to subjection to the authority of the East-India Company or its agents, I cannot help considering as a measure pregnant with danger. I cannot but fear, that it would be seized upon as a pretext, on the part of the Chinese, for laying fresh restrictions, both

on the trade, and on the individuals who carry it on. These restrictions and restraints would almost necessarily involve the East-India Company's servants in fresh contentions with the local government; and all such contentions, however sometimes unavoidable, it must be confessed are always attended with a degree of hazard, as well as of actual present inconvenience, which it would be in an extreme degree unwise to incur without necessity.

"The hazards of a more purely commercial nature to which the interests of the East-India Company might be exposed by the measure in question would, I should think, chiefly depend upon the two following points; first, whether the permanent residence of British subjects at Canton is likewise conceded, (and which I suspect must be conceded, in order to place them fairly on a footing with the Americans;) and, secondly, whether this solicited privilege, of being permitted to embark in the carrying trade with the continent of Europe, shall be found liable, in any material degree, to the abuse of becoming a cloak for a smuggling trade into Great Britain.—On this latter point, I have no data upon which to form an opinion; but it must be

obvious to every one, that if it does open a door to such an abuse, the consequences must be most destructive—if not; and if those British subjects who may obtain, on this plea, an admission to a permanent residence at the port of Canton, are found to confine themselves to those limited and purely commercial objects, which are now pursued by those Americans, whose places they hope to occupy, I do not see that the risk to the East-India Company, in this branch of the question, can be material: but it is obviously very conceivable, that the unrestrained energy and enterprize of British subjects, might, with such opportunities, involve them, I will not suppose in any culpable projects or intrigues, but in schemes, which however innocent or laudable in themselves, would, under the peculiarly precarious tenure of our intercourse with China, be likely to be attended with very embarrassing consequences to the general interests.

"An opinion has indeed recently prevailed among some persons, that arguments against this supposed precariousness of the tenure of our trade with China, may be drawn, not only from the favorable reception which is given to the Americans, but also from the success

of impunity with which strong measures have sometimes been adopted by ourselves; and of this, the affair of the Alceste frigate with the Chinese forts at the Bocca Tigris, has been alleged as a prominent instance. This is not a place to enter into the merits of that measure; but I do not believe its warmest advocate would question its being one of considerable hazard, though determined to have been necessary, in support of the honor of the British flag, and of the British embassy: and I have heard, that the gallant commander on that occasion placed his hand to the first gun, to shew, that while he was perfectly sensible of the serious extent of the responsibility which might attach to the act, he was determined that the whole weight of it should rest upon himself.

"I may further remark on this subject; that I do not believe that any Chinese was actually killed upon that occasion, or even wounded*: that the viceroy of Canton could not resent the proceeding, or represent it to his sovereign, as an act of hostility, without

* See a confirmation of this opinion, since the above was written, in the evidence of Captain Ross, before the Select Committee of the House of Commons on Foreign Trade.

at the same time, subjecting himself to heavy responsibility, by acknowledging that a passage into the river of Canton had been effected by force: and lastly, that I know, from my own personal observation, that the Chinese government, at that period, was most anxious to remove any obstruction to the departure of the embassy upon good terms; and to allay, if possible, the unfavorable feeling which its precipitate dismissal from Pekin was naturally supposed to have created; in view to which, a more than ordinary degree of connivance at any untoward circumstance, was nothing more than what was naturally to be expected. Against this one instance of seeming forbearance, it would be very easy to find ten of excessive irritability on the part of the Chinese authorities, and of angry suspension of the trade upon seemingly the most inadequate grounds; and this, in cases, in which the interests of their own people, as well as those of foreigners, were unavoidably sacrificed.

"Should it nevertheless be deemed expedient to concede the point in question, I then take the liberty of suggesting, that it appears to be of the first importance that the vessels, thus allowed to import and

take returning cargoes from Canton, should be placed most unreservedly under the orders and authority of the Select Committee, and that some such guarantee be taken of their submission to the same, as has been recently adopted in respect to the country ships from India; and further, that by the production of their invoices or other means, the Company's servants should have the same cognizance of the amount and nature of their cargoes, as they have at present of the private trade on board the regularly chartered ships of the East-India Company*."

Portland-Place, Feb. 1, 1820.

* The following are the paragraphs of the memorial of the ship-owners, which have been particularly referred to:

"That a most valuable trade might be carried on from this country with the north-west coast of America in British manufactures, to be exchanged for furs for the China market, provided that British vessels were permitted to take in return cargoes at China, for other markets than those of this country; which trade is at present almost wholly in the hands of the Americans.

"That your petitioners are also led to believe, that if the like facilities were afforded with regard to the return cargoes from China, a valuable commercial intercourse might be established with other parts of America, and also with Cochin-China, and with Borneo Celebes, and other parts of the Indian Archipelago, to the great advantage of British shipping.

"That in corroboration of what is thus set forth, your petitioners beg leave to represent to your Lordships, that since the peace, the trade with China alone, carried on by American vessels, has so rapidly encreased as to have employed in the season of 1817-18, no less than eighteen thousand tons of shipping, navigated by 1,500 seamen.

"That under these circumstances your petitioners encourage the hope that if His Majesty's Government should see fit to call the attention of the Honorable Directors to the subject, they would feel that the present state of things is very different from that which existed before the peace had set free the shipping of the whole world, and that a foreign trade of great magnitude (and which is daily encreasing) has grown up, in which, if British ships were allowed to participate, the most important benefits would arise to the owners, as well as to the nation at large; whilst, on the other hand, if they are to remain excluded, the whole of this branch of trade will centre in foreigners, with consequences to the shipping and general interests of this country of the very opposite kind, and that the Honorable Directors will not see cause to object to admit the British private trader to participate therein (under every requisite regulation for the protection of the peculiar interests of the Company) to the limited extent herein suggested."

NOTE

ON THE PROPOSITIONS

THAT HAVE BEEN MADE FOR THE ADMISSION OF PRIVATE

BRITISH MERCHANTS TO A PARTICIPATION IN THE

Carrying Trade between the Port of Canton

AND THE

CONTINENTS OF EUROPE AND AMERICA,

In whatever manner we consider the important practical question which is here proposed; namely, whether a new, and possibly, an extensive branch of commerce can be opened to the skill, enterprize, and capital of the private British merchant, without at the same time compromising certain other vested commercial interests of confessedly still greater magnitude, and which the nation is, for a time at least, pledged to preserve, it is impossible not to feel extremely desirous to be able to answer the question in the affirmative.

It has been asserted upon respectable authority, that "it is quite obvious that the present exclusion of the private merchant is of no advantage to the Company, or any other class of His Majesty's subjects; and that it may therefore be fairly and justly stated to be pure and unmixed loss to the nation at large:" and further, "that the British merchant feels *indignant* that the foreigner should be allowed to carry on a trade in our ports from which he is excluded*."

Every one who is anxious for the general welfare and prosperity of his country, and who peruses the opinions on this subject which have been thus strongly advanced, will naturally feel very much prepossessed against a principle of exclusion, apparently so odious and so impolitic: and although, if he also reads the arguments which have been adduced on the opposite side, he will find it difficult not to admit that there are some hazards to be guarded against, he will still probably feel strongly disposed to rely upon the efficacy of those legislative and local arrangements which have been suggested for

* Evidence before the Commons, p. 337. ditto before the Lords, p. 201.

that end, and to concur in the opinion, to which the Committees of the two Houses of Parliament on Foreign Trade incline, that, by such means, "the British merchant, without interfering with the monopoly of the British market enjoyed by the East-India Company, may be safely admitted to participate in a trade, which has proved safe, lucrative, and capable of great improvement in the hands of the foreign trader*."

Even the warmest and most interested advocate of the East-India Company's exclusive rights, must be desirous that all *unnecessary* restrictions at least, on private trade, should be removed. It requires no particularly enlarged views of policy to discover, how much it is the interest of the Company to conciliate public opinion; not only by disencumbering their monopoly, as soon as possible, of every privilege which is wholly useless, and which therefore serves only to excite odium against it, without promoting or securing it; but even by abandoning occasionally, privileges and securities which possess a real value, but which not being of vital importance, are well exchanged for

* Report, p. 7.

that still more essential security to their interests, which is founded on the approbation and good will of the community at large.

The Lords' Committee on Foreign Trade are so far, indeed, from imputing to the East-India Company and its advocates, any indisposition to enter into a fair and impartial discussion of this question, that they expressly observe, that "they feel themselves justified in relying upon the liberality of the Court of Directors; upon the concern they have frequently evinced in the national prosperity, and the preference they may be expected to give to British over foreign commerce, for a disposition to meet, *as far as may be consistent with their own essential interests*, the wishes of their fellow subjects, if sanctioned by the wisdom and authority of Parliament." *p.* 7.

In fact, it is only with the above express proviso, that the Committees of the two Houses of Parliament have seen it expedient to enter at all, at present, into the examination of the question. They both distinctly disclaim the idea of recommending "any interference, by authority of Parliament, with the monopoly secured by law to the East-India Company:" and the Committee of the House of Commons in particular, declares that

"it is not prepared to recommend as desirable, *independently of the consideration of public faith*, any interference with that branch of the China trade, which is actually and profitably conducted by the Company." *p.* 208.

It is clear therefore that, "independently of the consideration of public faith," that is to say, even if the Charter of the East-India Company had expired, or had not been renewed, and that in consequence, the whole question of the expediency of its renewal were to be agitated *de novo;* still it would not be prepared to recommend as desirable, (desirable, of course, on general and public grounds) any interference with that branch of the China trade, which is actually and profitably conducted by the Company.

Finally, notwithstanding the favorable impression, which the statements in evidence "of the hopes of the merchants and others, of benefits to commerce from the proposed extension of its fredom*," have evidently made on the Committees of the two Houses of Parliament, they still do not hesitate to pronounce their decided opinion, that in the event of a case of serious injury to the trade of the East-

* Lords' Report, p. 5.

India Company being clearly made out, "British subjects must still be prohibited from resorting to Canton, and from concerning themselves directly in any branch of the trade in tea*."

This decision seems to render it unnecessary to examine, so very minutely as might otherwise have been requisite, the grounds upon which the hopes of the merchants and others, in this respect, are founded. It may be sufficient to observe, that, passing over opinions which are merely theoretical and speculative, it appears in evidence, that since the restoration of peace in 1815, the carrying trade of the Americans, direct from the port of Canton to the continent of Europe, has amounted in tea, its chief article, to near three millions of pounds weight, on the average per annum, in addition to considerable quantities of this article, of which no positive return is given, stated to have been re-shipped for Europe, from the United States†: but that more recently, the markets of Holland having been overstocked, this trade has greatly declined, and that the American trade generally

* Commons' Report, p. 208.

† Lords' Report, p. 10, 48, 144, 147, 174, 183.

in China has decreased nearly one half, and has fallen into very few hands*.

It is further to be observed, that this carrying trade had no existence previous to the revolutionary wars, which disabled the continental nations engaged in them, from supplying themselves with China produce, as they had previously done, by means of ships sailing under their respective flags: and that consequently, in the event of those nations availing themselves of the present peace, to renew their former accustomed relations with China, (which it is in evidence, they have already begun to do, in a certain degree†,) their carrying trade must altogether cease, and the capital which may be embarked in it, whether British or American, be effectually excluded; with this additional circumstance of disadvantage in the case of the British speculator, that he would not, like the American, be allowed to take his chance of compensation in the markets of his own country.

The actual state of the China trade, both British and foreign, previous to the wars arising out of the French Revolution, though

* Lords' Report, p. 139, 215. Commons' Report, p. 343, 347.
† Lords' Report, p. 39.

it is not recorded upon the evidence lately collected, has long been in an authentic shape before the public, and a copy of a document of this description, comprehending a period of twenty years, is annexed to this note; as it cannot but be of some use, (notwithstanding the great changes that have taken place in the circumstances of Europe in the course of so long an interval,) by assisting our conjectures respecting the channels to which the China trade with the European continent has a natural tendency to revert, in proportion as the direct and indirect causes of obstruction which have been interposed, cease to operate*. This document is also of some importance, as affording evidence of the extraordinary and rapid encrease of the legitimate trade of the East-India Company, immediately after the passing, in the year 1784, of the Commutation Act, and the simultaneous adoption of other measures for the more effectual prevention of smuggling. This encrease of the Company's trade, at that time, has always been attributed, nearly, if not wholly, to the suppression of the illicit traffic, which, under less temptations

* See the statement on the China Trade at p. 384.

than exist at present, had been previously carried on to an amazing extent.

With respect to the encreased vent for British manufactures and productions, although very sanguine opinions on the subject appear to be entertained by some of the witnesses examined; there is, on the other hand, a most powerful body of evidence to shew, first, the great and peculiar obstacles to their circulation arising from the Chinese themselves, owing to the restriction of the trade to one port, and to only a few individuals at that port; secondly, the very great exertions that have been made, and are still making, by the East-India Company, to overcome these disadvantages, attended sometimes by great pecuniary sacrifices; thirdly, and lastly, the very considerable opening for the export to China of British produce and manufactures by private speculators, which the trade, as it is, already affords, through the medium of the tonnage allowed to the Company's marine officers direct from Europe, and indirectly from India, through the medium of the country trade, which (with one exception only, and that likely to be abandoned) appears to enjoy from the Company an unlimited license. It can hardly therefore be supposed that any material

deviation from the present system, on so very questionable a ground, as the possible extension thereby, of the disposal in China of our manufactures and productions, will be seriously insisted on.

It only remains, therefore, at present to consider, whether any, and if any, what weight may be justly due to those apprehensions, which are stated in the report of the Lords' Committee "to be felt by persons of great experience in the direction of the affairs, and in the service of the East-India Company, of the risk with which the proposed extension may be attended to their political and commercial interests." *p. 5.*

The validity of the objections which have been thus alleged by persons of great experience in the direction and management of the interests, which it is apprehended would be endangered, is, in fact, the main point at issue. It is impossible not to acquiesce in the justness of the following remark on this subject, which is made by the Committee of the House of Commons:—

"Whenever a question arises, to grant or to withhold a permission to carry on unrestricted trade, with whatever part of the world, in whatever ships, and whatever com-

modities, *the burthen of the proof* rests upon those who propose to withhold the permission, or to impose the restriction. Restriction being in itself an evil, requires, as well for its continuance, as its original imposition, a special political expediency to support it." *p.* 197.

The first alleged objection against the indiscriminate admission of private ships, direct from Europe, is the danger of embarrassment and interruption to the trade, from the disputes with the Chinese, likely to arise from the introduction into China, of an additional number of British seamen, under an inferior system of subordination and discipline.

Whether the more turbulent conduct of British seamen in China is to be attributed to their higher spirit, and their keener resentment of provocations and insults, or whether it arises from their greater proneness to intoxication, or, which is most probable, from both those causes united, it is not of much importance to enquire. All the evidence concurs in the fact, that disorders and disturbances among the British seamen in China are much more frequent than among the American; and that, although the evil has been considerably mitigated by the abolition of the custom of sending up to Canton large

bodies of sailors on liberty, yet that very serious instances of embarrassment to the Company still occasionally arise from this cause*.

On this subject, the Committee of the House of Commons specially refer to the evidence of Mr. Drummond, a member of the House, and a witness, certainly, of the highest authority and respectability. It is therefore of peculiar importance to mark what this gentleman *has* stated; first, what his original opinion was upon this particular topic, founded upon his own personal observations, and pronounced when recently returned from a residence of twenty years in China; then the qualification he was afterwards induced to make in it, on the authority of the information of other persons; and lastly, his present opinion on the general question of admitting private traders into the China trade.

Mr. Drummond being requested to state to the Committee, what objection he felt to the admission of private ships of this country to a participation in the trade with China, makes the following reply:—

"At the period of my giving my evidence

* Lords' Report, p. 133, 152, 312. Commons' Report, p. 345.

before the Committee, in the year 1812, I was decidedly of opinion, that it would be extremely injurious to the country, and to the interests of the East-India Company, to admit ships of any description to participate in the trade to Canton, viewing the dangers of a misunderstanding with the Chinese, as a probable means of losing the trade altogether, and affording facility to smuggling, in small ships, which did not exist in those of the East-India Company. Since that period, I understand that the seamen are no longer admitted to go on liberty to Canton; and I think the first danger, or apprehension of danger, which I then entertained, no longer exists, and therefore *one part* of my objection is certainly removed; and I do not see that there would be so *great* an objection to allowing them to participate, to a certain extent, in that trade, though I *still* entertain the same apprehensions with respect to the smuggling from smaller ships, either in St. George's channel, or the British channel."

And upon being finally asked whether there were any other observations which he wished to make, as to the proposition of admitting private traders into the China trade, Mr. Drummond sums up his opinion on the subject in the following manner:—

"No; but, generally speaking, I think it is a matter of considerable danger to interfere with a trade yielding, as at present carried on, so great a revenue as £4,000,000 sterling, collected with so much ease and so little expence, and so regularly paid, and at a period when so much distress is prevalent in this country*."

It is quite clear, therefore, that Mr. Drummond's opinion not only was, but still is, upon the whole, decidedly adverse to the proposed interference with the China trade: and, that although he qualifies his first opinion, upon one part of this question; that qualification is wholly founded upon the supposed efficacy of the abolition of the custom of sending up sailors to Canton, on liberty; a measure which was not adopted until after he had left China, and which however unquestionably beneficial, it is on evidence, has not been so wholly efficacious, as to prevent our trade from being more than once interrupted by disputes of a similar nature since its adoption.

Assuming, therefore, that the risk of interruption from disputes between our sailors and the Chinese is an evil to which our trade is still to a certain degree exposed, it is unde-

* Commons' Report p. 368.

niable, that the admission of any considerable additional number of ships, sailing under British colors and manned with British seamen, is of itself and under the most favorable circumstances, a material extension of the evil. It is notorious, and abundantly confirmed by the evidence, that the Chinese government holds the Company's servants responsible, not only for the conduct of the crews of all private merchant ships, but even for that of the officers and crews of the king's ships, when upon that station. The affairs of the Company are thus unavoidably involved in every dispute of this kind that occurs. It is indeed proposed to establish regulations, by which the subordination and control of the private ships shall be rendered equal to that of the ships in the service of the East-India Company: but considering how effectually all individuals belonging to the long-established regular marine of the Company, are bound to their employers, by custom as well as interest, it may well be questioned how any regulations for the control of private ships, casually, and perhaps for that time only, visiting the port of Canton, can be expected to have equal efficiency—but even if such regulations were to prove equally efficient, still the danger of

interruption to the trade from this source, even under the existing superior system of discipline, has been shewn to be considerable*.

It is probable that the very difficult and embarrassing situation in which the Company's servants in China are placed on all occasions of disputes or accidents, upon which a British subject is charged with being accessary to the death of a native, is by no means accurately understood. The nature of the dilemma in which they are liable to be placed, in such cases, will in some degree appear from the following further extract from the valuable evidence of Mr. Drummond.

"Do you conceive the stoppage of trade has at any time arisen from our refusing the Chinese the exercise of their laws upon our subjects, who have been guilty of crimes?—Partly, I should conceive, it has; but I believe many of the misunderstandings have arisen from crimes committed by persons *unknown*, and, as such, the council at Canton could not take upon themselves to give up an innocent person.

* Respecting the superiority of the system of discipline established in the Company's ships—see Commons' Report, p. 254.

"Do you suppose that the Chinese would punish an innocent person?—I have no hesitation in saying, that in the event of a murder or death, they would certainly put to death any person given up to them, whether guilty or innocent.

"Supposing no person was given up, they were allowed to pitch upon the supposed guilty person, would they in that case give him a regular trial?—I should say, according to the form of their government, they would give what they may call a regular trial, but which I should consider, from my knowledge of them, a very irregular and unjust one.

"Do you suppose that an accident arising from a private ship being permitted to go to China, which gave offence to the Chinese government, they would visit such an offence against the Company?—I think they would consider the Company responsible for the acts of all persons and ships sailing under the British flag." *p.* 368.

The circumstances of the dispute which occurred in China, in 1807, a few months after Mr. Drummond left that country, are strongly corroborative of his evidence—A Chinese was supposed to have been killed by an English sailor; but as the individual who committed

the crime was unknown, he could not be delivered up. The Chinese government then pitched upon an individual to answer for the offence, almost at random; and, yet there can be little doubt that, if this individual so selected had been surrendered into their hands, he would have been, as Mr. Drummond states, tried and condemned, according to their forms of law, and then executed. The Company's servants pursued an opposite course, which, although it was attended with considerable temporary embarrassment, inconvenience, and loss, was ultimately successful, and saved the man's life*.

After all, the writer of this is rather inclined to think, that too great a stress may have been laid on the objection arising from the insubordination of the seamen, by both the parties to the present question. It is undoubtedly, considered singly, a very serious objection; but it is by no means the chief objection, and it rather tends to give the advocates for an open trade a vantage ground in point of argument to which they are not entitled, when it is so represented, and, as it were,

* A more detailed narrative of this transaction has already been given at p. 261.

placed in the front of the battle.—There are, the writer believes, other classes of persons, who would be admitted into China besides the seamen whose insubordination in respect to the East India-Company's authorities, would be much more dangerous, as well as much less within the reach of control. It is far from being intended here to insinuate any thing against the national character, or the personal respectability of the private British merchant. If it had been determined to abolish the privileges of the East-India Company altogether, and to try the experiment of an open trade, there can be little doubt that, as long as any trade with England was tolerated at all at Canton, the superiority in point of intelligence and of probity, generally speaking, of the private British merchants, over the private merchants of other countries, would be duly estimated by the Chinese, and always secure them the pre-eminence.

But it has been determined to be a wiser and a safer plan, to leave the exclusive privileges of the East-India Company, in respect to the China trade, untouched; and the concession, which that body is now invited voluntarily to make, is asked, with an express reserve that it shall not be found to militate against its ac-

tual interests—Now, the private merchant, however respectable otherwise, is, with respect to the Company, unquestionably insubordinate; he bears its control with undisguised impatience; it is, in his view of the subject, equally unjust and impolitic.

In India, indeed, where the Company is invested with the character of sovereignty, and its servants decorated with the titles of governors, judges, and generals, its authority is submitted to with less question; but when it comes to be vested in persons who have no higher designation than the humble one of supercargoes, and who are personally engaged, though not on their own account, in the details of commerce, it becomes quite intolerable.

Even in the present state of things; whenever disputes arise with the Chinese, and the proceedings of the supercargoes do not conform to the notions of expediency, which the private trader may happen to form on the subject, it is with the utmost difficulty that they can maintain their authority—Even while the sole and exclusive right of trading is still in the Company, and no private trader can so much as set foot at Canton, as a matter of right, the servants of the Company are liable

to be embarrassed with protests and representations of the most insubordinate character. The Chinese Government is thus encouraged to set at naught their opposition to its most arbitrary decrees; and, if they, by their firmness, nevertheless prevail in the end, they have still the mortification of having to defend themselves against the yet more inveterate adversaries who rise up against them among their own countrymen; among the very persons, whose trade, together with that of their employers, they are labouring to preserve, and who endeavour notwithstanding to overwhelm them with formal protests against their proceedings, worded in all the technicalities of our legal language, and containing allegations of a responsibility, which, if it could be imposed, would, in all probability, consign them for their lives to the confinement of a prison—This is no imaginary case, but a simple and unexaggerated statement of what was attempted in the year 1814.

It is true that the persons who so acted had, in all probability, no other object in view, but to recover, in a fair and honorable manner, that compensation for their losses, which they conceived to be justly their due. Their motives may have been perfectly irreproach-

able; but the tendency of their measures was not the less subversive of the authority of the Company in China.

Some idea may be formed, both of the actual mildness of the control over the private trade, which is at present exercised by the servants of the Company, and of the impatience, nevertheless, with which the private trader submits to it, even from a perusal of the representations on the subject of some of the parties themselves, which are recorded in the Appendix to the evidence lately taken before the Committee of the House of Commons.

They observe, "We do admit, that until the past year, they (the private merchants) experienced no hindrance from the authorities of the honorable Company, in regard to commercial intercourse with China; the free exercise of discretion, both as respects the extent and periods of adventure, was granted to individuals; the measure of their trade was precisely that of their means, and their own views of advantage." *p.* 422.

A more honorable testimony in favor of the Company and their representatives in China, and a more complete refutation of the charge of exercising their monopoly, in a narrow and jealous spirit, which has sometimes been made,

could not possibly have been desired:—and this too, with respect to a trade which, being merely permissive, was altogether at their mercy.

Thus it at least appears, that the merchants of India in making that earnest appeal to the authorities in England against the conduct and measures of the supercargoes, from which the preceding paragraph is extracted, were not goaded on to the adoption of so unprecedented a step, by the endurance of a long series of wrongs, or by any harrassing and vexatious interferences of a commercial nature—It was confessedly the very first occasion that had occurred for making *any* complaint; and the amount of the complaint was, (setting aside what was stated to be merely prospective, and founded on the apprehension excited by their advices from China, that certain measures would be taken by the supercargoes, which were never even *intended* to be taken) that their ships had been subjected to an embargo, from the early part of October, to the 27th day of November, a detention of about six weeks, such as adverse winds and want of convoy have exposed our commercial fleets to, over and over again, in all parts of the world.

They were at the same time informed, by

an explanatory document of great length, the receipt of which they acknowledge, that this was not a measure directed exclusively against them, but one by which the Company were no less sufferers; and, that it was taken, not hastily or precipitately, but "after a full communication on the subject with Brian Hodgson, esq. the senior officer of His Majesty's ships in China, who had concurred with the Committee, (so imminent was the danger considered to be) that it was expedient, as well for the safety and interests of the parties concerned, as in the hope of re-establishing the trade, that all persons claiming the protection of the British flag should quit Canton, after four days' notice." *p.* 431.

On the other hand, a message is alleged "to have been received from the viceroy of Canton, inviting them to enter the port, and trade as usual." *p.* 422.—It might have been supposed that the insidious purpose of such a message, at the very time that negotiations were actually going on for the re-establishment of the trade on a secure footing, might have been sufficiently obvious; but this seems to have been entirely overlooked, and the invitation of the Chinese appears to have been relied on, by the private merchants, with a

degree of confidence, which all the representations of the servants of the Company, of a contrary tendency, had failed to inspire. Although they had seen no reason to question either the wisdom or the good dispositions of the servants of the Company, on any former occasion, the merchants of India instantly take the alarm—They declare their "thorough conviction, that the certainty of the entire annihilation of their trade with China is involved in the continued exercise of similar power by the Select Committee." *p.* 420.—and they pray, that the Board of Commissioners for the Affairs of India "would be pleased to grant them prospective relief, by causing their trade with China to be placed upon such a footing of security, from the interference of the honorable the East India Company's authorities, as should best contribute to its advantage, and without which they venture to represent, it must fall into irretrievable and early decay." *p.* 421.

It is certainly most probable, that the Company's servants will very rarely, if ever, be again compelled to resort to such extreme measures, as those which were thus heavily denounced in 1814. But, if under the present comparatively restricted admission of the

private trader into China, such a degree of opposition and counteraction can under *any* circumstances, be offered by them, what may not the Company's servants expect, when they shall enjoy, and as a matter of right, an indiscriminate admission to the port of Canton, with an equal participation (with the exception of the direct trade to England) *in all its* commercial advantages. *If the* Company's servants act with common regard to the interests of their employers, (which interests, as far as the direct supply of England with the produce of China is concerned, will still be identified with that of the country) it will be impossible for them to avoid occasionally adopting measures, *which however conducive to the general good, will not for a time bear hard upon particular* individuals, and thus give rise to perpetual statements of grievances, actual or apprehended.

If, for instance, they discountenance a Chinese merchant, who has been detected in plotting against the general interests of the trade, and exciting and instigating the government to impose new and mischievous restrictions upon it, the effect of which he imagines may be, to throw a larger portion into his own hands; the disadvantage and loss

of character which would ensue from his exclusion from a share in the Company's business, would very possibly so derange the affairs of that merchant, as to cause him to become a bankrupt. His creditors might, in such case, charge, and justly, the servants of the Company, with being the authors of their losses—and if, in the case of such a bankruptcy, the servants of the Company should demur about accepting the pretended generosity of the Chinese government, which, while it professes to pay the registered debts of the bankrupt by instalments, with one hand; with the other, always takes care amply to indemnify itself, by the imposition of a fully adequate sum in new taxes (called *Conso* charges) in perpetuity:—They would then perhaps be charged with the additional barbarity, of rendering the losses of the creditors, already sufficiently severe, irreparable.

This is, in fact, only one instance among many. It is impossible to anticipate all the various modes, in which the most innocent and the most indispensable measures of the Company's authorities in China, may be rendered odious, by imputations of unjust partiality and a spirit of commercial rivalry:—

and it is a political maxim, which experience has seldom failed to confirm, that an authority, the exercise of which has become, whether justly or not, permanently odious and unpopular, is not far removed from its final extinction—These consequences, it is true, have not yet arisen from the admission of the private trade of India: but it would really be a waste of time to dwell upon the extreme difference between a trade which is so circumscribed, and only permissive, carried on by persons, whose homes are within the Company's territories, and who are trained up in habits of obedience to their authority; and that trade, which is now proposed to be carried on by private ships and private merchants, proceeding directly from the mother country.

The next source of danger which the East-India Company apprehend would be opened, by the admission of private British Traders, direct from England, to the port of Canton, is the excitement of the jealousy of the Chinese government, by the very circumstance of their admission; augmented as it might possibly afterwards be, by certain circumstances in their conduct, especially by enterprises of an irregular nature.—It is hardly necessary here to observe, that it is not an-

ticipated that their conduct would, in a moral point of view, prove inferior to that of other foreigners—quite the contrary— for the more honorable and independent their spirit, the more active and enterprising they are in their pursuits, exactly in the same ratio, will they become more and more the objects of Chinese jealousy.

Should a private British merchant, disgusted with the difficulties and disappointments he meets with at Canton, endeavour to open a trade at some northern port of the Chinese empire, an attempt in which he may, by taking advantage of the cupidity or venality of the local officers, for a time succeed; or should he even attempt to penetrate himself by land into the interior, with a view to endeavour to establish a direct communication with the actual grower of the Chinese produce, and the actual consumer of our manufactures, a scheme, the adoption of which, however perilous and ultimately fruitless it might prove, is not altogether inconceivable, as the Catholic missionaries at this day traverse the country in disguise, in all directions.—Such enterprises might not be morally criminal—By many, they might be deemed laudable—Yet the difficulties and

embarrassments, into which their detection might throw the servants of the Company, are more easily imagined than described.

It has been asked, why the Company should apprehend consequences from the admission of the British private trader, which are not actually experienced from that of the Americans? In the first place, they are not nationally the same objects of jealousy.—The Chinese positively know nothing at all of the Americans as a nation. *We*, on the contrary, have conquered an immense empire, within 180 miles of their frontier—have lately subdued one of their own former tributaries, the Nepaulese—have landed our troops on their coasts, in defiance of their armies—and have sent armed ships up their rivers, in defiance of their batteries.—Is it possible then, that we can affect to doubt, whether or not, we are, with the Chinese, nationally, objects of jealousy!

As to the apprehensions that are entertained, that this jealousy will be further excited, and that the private British trader, if allowed the opportunity, will engage in speculations and enterprises to which the Americans have hitherto been strangers—These apprehensions may not be realized—but who will guarantee

that they will not—Who will assure us even that they are improbable!

The private merchants, it is true, at present disclaim all idea of attempting to open a trade at any other Chinese port besides that of Canton; but not in any very *positive* terms, as will be seen from the following extract from the evidence taken before the Committee of the House of Commons.

" Do you, in looking to the improvements through a free trade with China, contemplate any access to the empire of China, but through the port of Canton?—No; I have hitherto contemplated carrying on the trade with the port of Canton, that being the only port which the Chinese allow us to trade with; but I consider that it would be of vast importance to obtain permission to trade to the port of Amoy, which formerly was open like Canton, to European commerce.

" Why was that shut?—Some jealousy or other, I believe, was the cause of it.

" Do you think it is probable that, if private ships were permitted to trade freely with China, they would find access to different ports on the coast, which they have not at present?—I rather think it would be for the interest of the free traders to confine themselves to the

ports opened by the Chinese government, and of course for the present to Canton; but the coasts of China are as yet very little known; and I cannot pretend to much information on the subject." *p.* 288.

It only remains upon this point to observe, that whatever are, or may in future be, the speculations and enterprises of the Americans, they are, to the British Company and the British nation, a matter of perfect indifference. —We are not held responsible for them; our interests can in no matter be affected or compromised; which, on the contrary, they would inevitably be, by those speculations and enterprises which it is apprehended the British private trader might engage in.

It may be said, that the misbehaviour of the crews of the private ships, the counteraction of their employers, and the jealousy with which the general conduct of both is likely to be viewed by the Chinese government, are only speculative evils, which wise regulations and prudent measures may in some degree avert.— Let us now see, what will be the immediate and necessary effect upon the trade of the Company, of the proposed admission of private ships, in a view simply commercial.

It is unquestionable, that the hopes of the private speculators are excited to a very great degree. Their expectations of reaping a golden harvest, if admitted to a direct trade with the vast and populous empire of China, nothing but the bitter fruits of experience will, it is probable, ever do away. The opening of the trade would be the signal for the embarkation in it of private British capital to a great extent. Chinese speculations would receive from the same cause even a more than corresponding degree of excitement.—Even at present, the Company's servants, to prevent the pernicious effect of excessive speculation, on the part of the Chinese, are obliged to conceal every sudden and unusual encrease in their demands, with the most jealous secrecy. It is on the evidence before the Committee of the House of Lords, *p.* 61, that the Americans carry this principle so far, as even to adopt a peculiar mode of numbering the packages of the goods they import, in order to conceal from the Chinese their total amount. But in the case here supposed, the knowledge of the reality would probably be less prejudicial, than its magnified anticipations.—That the regular market for Chinese produce would be greatly disturbed, and the prices of all arti-

which was such, in fact, as to give the Company's China trade quite a different character before and after that period. We cannot therefore be very greatly surprised, that the Company should contemplate with some apprehension the possible recurrence of an evil, from which they have on a former occasion suffered so severely*.

Indeed, the injurious consequences to the interests of the Company from the proposed admission of the private trader, in a strictly commercial point of view, is so obvious, and is so strictly deducible from general principles, without referring to local circumstances at all, that the danger to the trade of the Company from this cause, has been unreservedly admitted by those who have declared themselves perfectly insensible to the existence of grounds of apprehension, upon any other score. It is very candidly acknowledged in the following extract of a letter, which was communicated to the Committee of the House of Commons by one of the warmest advocates for the opening of the trade, in the course of his evidence.

"I think the only point contended for,

* See the statement at p. 384.

that would, in the smallest degree, militate against the interests of the East-India Company, would be, that of allowing British ships to carry tea from China to the Continent of Europe; and which I think would have the effect of raising the price of the article in the Canton market very considerably. The East-India Company are, at present, almost the sole purchasers of genuine good teas at Canton; (what the Americans take are mostly old teas, or of inferior quality, and the same may be said with regard to the ships of Continental Europe) but were English ships generally allowed to export the articles direct from China to Europe, it would, no doubt, be their interest to purchase of a good quality; and, for the first few years, the demand no doubt would be much increased, and the price in consequence considerably raised." *p.* 287.

The foregoing are some of the chief objections which have been alleged against the proposed admission of private British ships to a participation in the carrying trade between the port of Canton and the Continent of Europe.—If all, or any of them have weight, they are conclusive of the question.—The Committee of the House of Commons dis-

tinctly declare, that if they "were clearly satisfied, that the monopoly, enjoyed and exercised by the Company, of the supply of Tea to the United Kingdom, would be in great danger of being either lost or *seriously injured*, through the regulated admission of British traders to the ports of China, for the purpose of carrying on those branches of trade in which the Company has no immediate concern; and that this danger would be the peculiar consequence of a relaxation of the monopoly in favor of British merchants, while in the hands of Foreigners a similar traffic may flourish without injury to the Company—they would readily admit, that the *duty* of the Company might call on them to object to any modification whatever, in either branch of their monopoly: *British subjects must, in such case, be still prohibited from resorting to Canton, and from concerning themselves directly in any branch of the trade in tea.* p. 208.

It must be confessed that this conclusion, however forced upon us by the facts and circumstances of the case, is one which we cannot come to but with regret. It is always a matter of regret, whenever any obstacles, incapable of removal, are found to exist, to our

adherence to our ordinary policy, of giving the freest possible scope to British capital, industry, and speculation. To remedy the evil in the present instance, or, at least, to mitigate it as far as possible; though it may not be safe to open any new channels of commerce to the British merchant as proposed, there appears to be no objection against rendering those that do exist, as free as possible.

It is stated in evidence, before the Lords' Committee, by a gentleman, who is certainly by no means friendly to the present system, as his opinion, that "if the East-India Company would freely permit the country trade of India, which at present is permitted to carry on trade between India and China, and between China and India, to carry British staples and manufactures to China, that such freedom would occasion a considerable additional opening for those goods;" and he previously observed, that this was a point, which he conceived the Court of Directors would easily grant, if requested. *p.* 54.

In fact, the motives which originally rendered the present restrictions necessary, no longer exist. It is stated, in a paper given in evidence before the Lords' Committee, *p.* 118, that the Company, in the season 1804-5, ex-

ported to China British manufactures and productions to the extent of tales 4,249,691, or £1,416,562, and sustained a loss upon that export of tales 448,958, or £139,652.—They might well esteem it necessary, under such circumstances, to protect themselves from still further loss, by retaining in their own hands the strict monopoly of the chief staples in this branch of commerce. But the case is wholly altered by the reduction which, upon the authority of the same paper, it appears has since taken place in the export by the Company of the same class of commodities; of which the amount in 1818-19, did not exceed tales 1,851,369, or £617,123, and returned a profit to the Company of tales 122,034, or £40,676.

The nation may fairly expect (and the Company will no doubt as readily realize the expectation) either, that the Company will increase the amount of its exports of British manufactures and productions to the very fullest extent that the market will bear, without entailing on themselves serious and positive loss, or that they will leave it open to the private trade of their own marine servants direct from Europe, and to the indirect private trade, by

the way of India, called the country trade, to fill up the void.

This view of the subject is yet more strongly forced upon our attention, by the recent enterprises and speculations of the Americans in this very branch of commerce; and which, although not likely to be permanently continued, being understood to have proved very unprofitable*, must, undoubtedly, as far as they go, greatly interfere with, if not, as it is strongly expressed by the gentlemen in China, "absolutely inflict a death blow on this branch of the Company's monopoly†."

Under these circumstances; and limiting the application of the argument to those commercial channels which already exist, it is impossible not to subscribe to the justice of the following remark of the Committee of the House of Commons.

"If, in point of fact, there exists a competition, whether from Foreigners, or from Englishmen trading as Foreigners, by which the monopoly of the Company is threatened, it will be for the Company to consider, whether they will not rather permit their fellow-subjects openly and legally to participate in

* Evidence before the Commons, p. 347. † do. p. 313.

that competition, than to leave it uncontrolled in the hands of foreign or clandestine traders." *p.* 205.

The magnitude and importance of the advantages to the British grower and manufacturer, which without interfering at all with the direct trade with England, it is here supposed may be conceded to them, is perhaps not sufficiently understood.—It is to be recollected that India (the first step) is already fully open to them; and that this *country trade* between India and China, by which the speculator in our manufactures and productions would be enabled to re-ship his goods for the *latter* market whenever the *former* had failed him, is a trade, which is stated in evidence, to exceed, in the invoice value of the goods, the whole of the trade at present carried on with China by the East-India Company*.

Some notion may be formed of what the country trade is at present in respect to our British manufactures and productions generally, and what it of course might be with regard also to the few, but important, excepted articles, from the following extracts from the evidence, recorded by the two Committees.

* Evidence before the Lords, p. 14, 162 &c.

"Do you conceive, if a free British trade was permitted with Canton, that it would materially affect the country trade, as now carried on?—I do not consider that it would affect the country trade in any way, *except* the interruption of that trade which they carry on of British manufactures, through the ports of Bombay and Calcutta; I mean of the English manufactured goods, which cannot find their way, in consequence of the existing restrictions, direct to Canton—" The witness concludes his next reply, as follows:—"The article of manufactured goods, and I speak particularly now of cotton goods, has not been much known in China, but the quantities that have been taken there have been very readily bought, and have paid a very considerable profit, a profit of importance."—*Evidence before the Lords*, p. 14.

The following extract, from the evidence taken before the Commons, is to the same effect:—

"The velvets and the other more valuable goods, I suppose, are for the use of the natives of the higher order?—I understand so, but most of the velvets go to *China* chiefly.

"Do they go to China through India? Yes, they go to China through India.

"Do you know whether they have found a considerable sale in China?—I am told they have, and I believe it is so." *p.* 298.

The witness does not proceed to explain why the *inferior* classes of cotton goods are not sent on to China likewise—and it is certainly difficult to assign any adequate reason, except the natural and obvious one; that either from the poverty of the lower classes of the natives, for whose use such goods must chiefly be destined, or from the superiority in point of cheapness or quality, of the home-made article, our goods obtain no sale.

It would be a task, for which the writer feels himself wholly incompetent, to go minutely through every portion of the evidence; to undertake to sift it in such a manner as to separate those statements which are grounded upon personal knowledge and information, or upon some other equally credible authority, from mere hear-say evidence, and matters of mere speculation and theory; and then to sum up the whole, in order to shew on which side the balance preponderates.—But there is one general character which, he thinks, he can venture to pronounce pervades the whole—All persons who have resided in China—that is, who have remained in that country longer

the writer of this apprehends he cannot be contradicted when he asserts, that the opinions in favor of it are, mostly, theoretical and speculative; and, those against it, mostly, practical, and grounded on a considerable degree of local knowledge and experience.

It may be proper to illustrate this by referring to a few instances—A great deal is said about Cochin-china; but when Captain Ross, who visited that country more than once and is acquainted with most of its ports, is questioned on the subject, he answers, at once, that he thinks that there is *nothing* to be done in Cochin-china. *Lords' Report, p.* 246. His information also, as far as it goes, tends decidedly to discourage all sanguine expectation of advantage from encreased communications with the eastern islands.

Speaking of the importation of cotton goods by the Company, it is observed by one of the witnesses, "we *know* what they have done in India, and I should *think* that would apply to China." The witness then proceeds to state, what may be readily conceded, namely, that "the quantity that would be consumed would be very large, if we could introduce them at a price less than their own, and more to their fancy." As it is somewhat extraor-

those orders against their servants *abroad*, he must hesitate a good deal, before he places implicit confidence in any sanguine calculations that may be presented to him respecting the possible augmentation of the sale of our manufactures and productions in China under any new system.

Similar instances of theory in the place of evidence, occur in *p.* 285—The question is asked—"Why do you think that a free trader would be able to sell his goods now in China at a better price than the East-India Company." The witness replies "Merely because (what I have always had occasion to observe) a private merchant manages his business better than a great company; I mean by that, that he would carry on the trade with more minute attention and at less expence." Here, it is true, the witness, in a parenthesis, appears to refer to something within his own knowledge; but this is surely too vague to amount to any thing approaching to a substantive charge—With respect to China, at least, the comparative want of attention to business of the servants of the Company, is, as we have seen, wholly unsupported, or rather contradicted, by the evidence.—And with respect to the allegation, of the greater comparative ex-

pence of the company's establishment; the writer is enabled to offer evidence to the contrary, from persons of the highest local experience. This evidence having been given at a time that no changes in the mode of conducting the trade were in contemplation, cannot of course have been influenced by any of those feelings on the subject, which are supposed to be at this time in operation.

The East-India Company, about the time of Lord Macartney's embassy, put several questions in writing to some of the gentlemen, who had formerly been in their service, relating to their interests in China, and the mode in which their affairs there were conducted; particularly in respect to the expence of the establishment at Canton, as compared with that of other nations and individuals carrying on trade at the same place. The replies, that were received, were communicated to Lord Macartney for his information, and, in consequence, formed a part of the records of his embassy; and although they relate to a period of thirty years back, yet, unless the contrary can be shewn, the same analogy may be fairly inferred still to exist*.

* These replies have been alluded to in another part of this volume, but they have since been thought to merit more

"The English Company undoubtedly derive some advantage from the magnitude of its trade, both over companies and individuals, but greater over the latter. These consist chiefly in the following particulars—The credit and consequence which it gives a merchant in the eyes of the countrymen to have a share of the English business, the power arising from thence of shewing a resentment for improper conduct, by depriving him of such share, or refusing such articles of his trade as he has the greatest advantage in disposing of, and by facilitating his payments to individuals, by means of the remittance through our treasury, which frequently compels them to give us an involuntary preference, in the disposal of their teas, sometimes at our own price—The constant and regular demand of the Company enables them to make their contracts on more favorable terms than other companies or individuals, especially in the very extensive article of *Singlo*, besides having, as before mentioned, for the most part, the first refusal of other goods, whilst the necessity they are under of taking the Company's imports in

particular attention; and they have been now quoted rather more at length than is perhaps necessary, in order to avoid giving, what might seem, a garbled extract.

exchange, puts it out of their power to purchase those of any other nation.—In respect to European articles, it must be considered an advantage to be able to bring them in large quantities to a ready market, whilst others find a difficulty in disposing of them in small quantities, and at a great loss—In the disposal of India goods, the eclat of dealing with the Company is not without its effect, and a merchant will generally advance something on the market price to be favored with a preference.

" — Of this" (the establishment of Danes, Swedes, &c.) " I cannot speak with certainty—The Danes, Dutch, and Swedes, employ more people in proportion than the English Company does, besides entertaining the captains and officers of their ships, at their factories, during their stay at Canton—And as the mode of expence in all the European factories is nearly the same, I should judge their proportion of expence to be greater than the English.—The proportion of expence of the Company's factory, since the Commutation Act, exclusive of port-charges, is about $\frac{1}{2}$ per cent.—Before that period, it could not have been less than 3 per cent.—This is on the export only. Goods consigned to persons resi-

dent in China, on private account, are charged with a commission of 5 per cent.—money with 2 per cent. When agents are sent with ships belonging to individuals, the commission, I believe, is generally the same, but sometimes differs according to circumstances.—In other respects, they will be liable to the same charges that companies are."

(signed) *Henry Browne.*

Skimpans, Herts, Oct. 25, 1791.

" The Company, from the magnitude of its trade and credit, has great advantages over those of other nations: It obtains money for bills cheaper than foreign companies; and, in general, has the refusal of a great part of the goods in the market. The last advantage is somewhat counteracted by a mode, which necessity has taught the other companies.—They confine their trade to a few particular merchants, whose interest, by that means, becomes sufficiently engaged, to provide a proper assortment of goods for them, without giving us the refusal of it. The Dutch, for instance, divide their trade between four merchants; and the Swedes make it a rule to deal only with *Puankhequa*, for half their investment.

"With respect to individuals who trade from Europe, such as Americans, Portuguese, &c. they cannot be put into comparison with the smallest of the companies, much less with the English. They are in general obliged to put themselves into the hands and under the protection of some neglected merchant, who requires great profit in his dealings with them, and who gives them his refuse goods, which for the most part they are obliged to receive, however they may have reason to be dissatisfied. The Company have a great advantage likewise from the comparative smallness of their expences, to the amount of the investment. The factory expences of the Swedes do not fall greatly short of ours, and are to be defrayed out of a sum, not exceeding a ninth part of our investment.—

"— In a general line, the English, and principally the Company, to whom all are subordinate, enjoy very superior respect among the Chinese; and this is so justly founded on the greatness of our trade, and its utility to the mandarins, as well as merchants, (for they are all enriched by it) that I cannot help thinking but great advantages might be drawn from it, if an ill-founded apprehension, for the loss of our trade did not

deter us from urging pretensions to such privileges, as would make our trade to that country safe and honorable, which I am sorry to say it is not at present*."

(signed) *William Fitzhugh.*

London, Nov. 21, 1791.

After a perusal of the foregoing extracts, it will surely hardly be imagined that the comparatively greater expensiveness of their establishment (though, no doubt, somewhat increased since the year 1791) can be the cause of the Company's inability to sell the produce and manufactures of Great Britain to advantage. In fact, it is admitted by the witness already quoted, "that, in general, the Company obtain *nominally* a higher price for their cotton, than the private merchants," but this is explained by adding that "the Company sell in a particular way; they sell their cotton in exchange for their tea; and while they appear to get a high price for their cotton, they pay a high price for their tea†."

* It is gratifying to be able to observe, that the suggestions of Mr. Fitzhugh, in the year 1791, have since been fully acted on, and with all the success which he anticipated.

† Evidence before the Commons, p. 285.

In order to prove that the higher price obtained by the Company for their cotton was only *nominal*, it was incumbent on the witness to shew that in consequence of this higher price obtained for the cotton, a price was given for the tea received in exchange, also proportionably higher than would have been given otherwise; and this does not appear to have been asserted. In fact, from the manner in which the teas are usually appreciated, upon the examination of samples exhibited collectively in a Tea-hall, at the commencement of each season, and without any reference whatever to the parties by whom they are tendered, this, in most cases, would be very difficult, if not impossible. The merchant, who receives a cargo of cotton, or of any other similar merchandize, is undoubtedly sometimes indulged with a preference in the amount of the proportion of the tea, taken from him beyond his contract; but the *price* of the tea, (at least, in the ordinary course of the Company's transactions) is fixed entirely with reference to its quality, and not upon any principle of barter, as seems to have been imagined.

It is stated afterwards, in the same page of the evidence, that, in 1814, during the interruption of the trade, "the Chinese

authorities drew a marked line between the Company's ships, and the private trade shipping :" but upon a reference to the edict, which was issued by the Chinese government on the occasion, a translation of which is inserted in the Appendix to the evidence, *p.* 427, this will be found to be a mistake: the invitation to resume the trade was addressed to the Company's ships, as well as to the country ships, without distinction.

This mistake was not extraordinary; the witness states that he was *not* in China at the time. Indeed, it is sufficiently obvious from the following singular description which is given by him of the nature of the dispute with the Chinese, during which that transaction occurred, that his information on every part of the subject was most incorrect. " The one to which I have last alluded, arose from a circumstance *not connected with the trade or shipping*— It arose, I believe, from a quarrel between the Select Committee and the Chinese government, about a Chinese servant of the factory, and had nothing to do with the trade or shipping." *p.* 287.

One advantage, however, certainly arises from statements like these finding a place upon the records of parliament; namely, that

they undeniably prove the extraordinary extent of delusion which the most respectable witnesses are liable to, with regard to transactions in China, in which personal interests are involved; and upon which, not having been themselves on the spot, they do not possess any personal knowledge. What was the *real* nature of the dispute in question, must be already pretty evident to most of the readers of that Parliamentary Report, from the detailed statement of the Select Committee in China, on the subject, which is printed in the Appendix, *p.* 428—and the writer has already dwelt upon it at such considerable length in another place, that it is quite superfluous for him to enlarge on it here.

It is only necessary to quote one mistake more. The witness, after pointing out the preference due to the outside China merchant over the regular Hong merchant, in respect to the disposal of new articles of foreign manufacture in China, states that the East-India Company deal only with the Hong merchants, and not with all of them, as he believes. *p.* 293. The fact is, that the Company deal with *all* the Hong merchants, and frequently with the outside merchants also—At the same time it is unquestionable, that

commercial dealings with the outside merchants can only take place upon a limited scale, and are seldom desirable except under peculiar circumstances—It is only in the name, and by the permission of some Hong merchant, that such a trade can be carried on at all; and as the government does not in any manner recognize it, any loss or injury which may be sustained in the course of such transactions is without remedy.

The foregoing instances of misinformation, though they could not, in justice to the Company and their servants in China, be altogether passed over, are by no means quoted as exhibiting the general character of any portion of the evidence collected by the Committees of the two Houses of Parliament. Great wisdom and impartiality has been shewn in the manner in which the most respectable and well-informed testimony has been sought for in all quarters; and a great mass of most valuable materials and evidence has, undoubtedly, been collected together. The information which the several witnesses have given upon those facts and circumstances which came within the scope of their own personal knowledge, and even their opinions and reasonings, whenever they are founded upon local expe-

rience, or just analogies, may, undoubtedly, be safely made the basis of Parliamentary decision: but it is with all humility suggested, that hear-say evidence respecting the causes and circumstances of disputes between the Company's servants and the Chinese, and especially respecting the mode in which their mercantile transactions in China are carried on, cannot lead to equally sound conclusions.

It may also be allowable to suggest, that the peculiar feeling which any change of system on our part is likely to excite among the Chinese, together with the probable consequences of such feeling, cannot be altogether so well estimated by persons who have only been in China for a few weeks at a time, and have had little other intercourse with the natives, beside that which is purely of a mercantile nature, as it can be by those who have resided amongst the Chinese for many years, and have had occasion to become familiar with their habits, manners, and institutions, in the course of a long series of transactions with them, of great variety as well as importance.

On one or two points, however, the adverse parties seem entirely to agree. It is hardly possible to describe in stronger and more

glowing language the jealousy of the Chinese in respect to foreigners, and the consequent danger of adopting any new system which may be calculated to give them additional alarm, in a political point of view, (however gratifying and advantageous it might be to them in a commercial one) than in the following extract from the memorial of the private merchants of Bombay, as printed in the Appendix to the evidence taken before the Committee of the House of Commons.

"Satisfied with the prodigal bounty of nature, jealous of strangers, governed by despots, China until, comparatively speaking to the rest of the trade of Asia, a recent period, shut its ports to all foreigners; and to this day, after any experience of benefit which foreign trade may be supposed to have occasioned, still they act with a caution and jealousy, that, to have lasted so long, must be as characteristic of the minds of the Chinese, as it is of the genius of their government.—With such a people, and under such disadvantage, no foreign trade can be so beneficial as under opposite circumstances it might be rendered, both to China and foreigners; but the fact being so, the real question is, whether under such circumstances, it be or be not

advantageous to trade at all. For we think ourselves justified by experience, as well as by all that is reported of the jealousy and inveterate prejudice of the Chinese government, to presume that in its estimation of the relative value of any the most insignificant of its laws or usages, and of the importance of foreign trade, the latter is held to be perfectly insignificant.

"In thus stating the comparative nothingness of the advantage resulting from their foreign trade, we refer chiefly to the view that is taken of the matter at the chief seat of government; and it is not reasonable to suppose, that the larger benefits which accrue to Canton, as being the port of trade, through the corruption even of the officers of that government, ever will produce lasting concessions to Foreigners, at variance with the general rule of policy prescribed by their laws, and with regard to the English in particular, probably confirmed by their fears.—On this part of the subject we have further to submit, that China as a nation, is still more independant upon foreign trade, as furnishing the means of revenue to the state, than it is as relates to the people, from its natural abundance, and variety of its products; for, in the

largest estimate that can be framed of the value of the whole foreign trade that centres in the port of Canton, and on the largest computation of the revenue that flows into the imperial treasury, such deficit in the revenues, as would be the consequence of the cessation of that trade, could scarcely be felt in such an empire as China."—*p.* 425.

However widely we may differ respecting the conclusion, which the above observations were intended to establish, namely, that the resistance which was offered by the Company's servants to the oppressive measures of the local government at Canton, in 1814, was inadvisable; it is impossible not to admit that the general view which has been taken by the merchants of Bombay of the circumstances and feelings of the Chinese government in respect to foreigners, though somewhat over-stated, is, in many respects, well founded.

One of the witnesses, who advocates the question of opening the trade, on being asked whether he thought, that the restrictions laid upon the European trade with China, originated more in political apprehensions than in any indisposition to commercial intercourse with foreign European states, replies, and, as

the writer of this thinks, justly, "Yes, I am certainly of opinion that the jealousy of the Chinese has arisen almost entirely from the dread of our political power*."

It has indeed been attempted to be maintained, that this jealousy is grounded in a considerable degree on the superior size and strength, and, in some respects, the warlike equipment of our Indiamen; and it is accordingly inferred, that if the trade were to be carried on in the smaller vessels which private traders would be likely to employ, this jealousy would be in a great measure removed.—But really, when it is considered that such ships as H. M. ship Blenheim (a first rate cut down), three or four second rates, and a great number of the largest class of our frigates, have been seen at the mouth of the river of Canton, in a constant succession during the whole of the late war, and at the very time that our territorial conquests and progresses in India, were becoming daily more notorious in China; the attempt to affix on the Company's trade, and on the style of shipping they generally employ, a material and efficient share in producing that jealousy on the part of the Chinese, which

* Evidence before the Commons, p. 288.

all parties admit to exist, must almost excite a smile. Can any one seriously suppose, adverting to the knowledge the Chinese must thus possess (however imperfect and inaccurate as to its details) of the powerful fleets and armies which Great Britain has at her command; that the transfer of our trade with that country, say from 20 ships of 1,400 tons burthen each, to 140 ships of 200 tons burthen each, (thus supposing, contrary to the sanguine hopes of speculators, no augmentation) could tend in any material degree to quiet their apprehensions? Is it not rather more likely, that it would increase them? would not the very change itself excite suspicion; would they not be apt to discover that these 140 ships, from their less draught of water, from their being more manageable, and from their capacity to carry more guns than the 20 could do upon their present construction, would be capable of harrassing and annoying them much more effectually, in the event of any differences leading to actual hostilities, than the vessels employed upon the present system?

Is it the superiority of the discipline on board these smaller ships, that would operate so much with the Chinese in their favor?

On this subject, it is surely impossible to have a more competent witness than Captain Ross, who himself commanded a small vessel in the Bombay marine, was for many years employed upon the China station, and, in the course of that period, completed a very extensive survey of the Chinese seas with great credit and success.

The following is an extract from his evidence before the Committee of the House of Commons:—

"Do you conceive the means that the Company's officers have of enforcing obedience, is greater than that of the smaller ships?—I think that there are a greater number of officers on board the Company's ships than there would be in the small ships, and men that have been accustomed to act under some discipline.

"In point of fact, is the discipline on board one of the Company's ships better or worse, than on board a private trader?—It is certainly stricter.

"Will not the number of officers on board each ship be in proportion to the number of men?—No; there are a greater number of officers on board the Company's ships in proportion to the number of men; because there

is a captain and six or seven officers, besides a number of other officers that are not carried in the smaller ships." *p.* 254.

The Author has not felt it to be within his competence, to examine minutely the question of the comparative advantages of the trade carried on by the Company in China, and that which is, or might be, carried on there by individuals, in respect to the points that follow: He cannot undertake to say, that in respect to the freightage of goods, the disposal of the minor articles of luxury and curiosity, and possibly, in some other respects to which he may not have adverted, individuals may not have some advantages in China, over a company.—If they do possess such advantages, the country trade from India, and the direct trade of the captains and officers of the Company's ships from England, afford very ample opportunity for putting these advantages to the test. But it is conceived that enough has been said to shew, that upon a general view of the whole question, the *theory*, that the Company is incapacitated from availing itself advantageously of any new opening for trade, on account of the expensiveness of its establishment, or the inattention of its servants, is wholly unsupported, and indeed,

as far as it goes, decidedly contradicted by the evidence.

The information therefore which has been so industriously collected respecting the demands for China produce on the Continent of Europe and in other parts of the world, and the consequent advantage of endeavouring to open a carrying trade between those countries and the port of Canton, does not, in fact, at all affect the question as it now stands between the East-India Company and the private trader. It only tends to put in doubt the policy of that law, by which all such carrying trade, without an intermediate visit to an English port, is at present interdicted.—It ought to be kept in mind, that it is not for the sake of the Company that this advantage has hitherto been relinquished, by the nation, but in subservience to certain general views of national and commercial policy that have been supposed to be most congenial, upon the whole, to our general interests. The East-India Company is at present as effectually excluded by law, as the private trader. The Company is not even allowed to carry the produce of China to the West Indies, or to any of the colonies we still possess in North America.

If it is no longer intended to adhere to

this system of policy; if it be determined to be consistent with the interests of Great Britain, that such a carrying trade should be permitted; let it be so—but let this new privilege be at least placed in such hands, as shall prevent any hazard accruing from its exercise to those other valuable branches of commerce which we at present enjoy in security. The China trade is a field of commercial adventure, which we already find very productive as it is. Do not let us, in the vain hope of still further increasing its returns, run the risk of laying it waste altogether.—Do not let us introduce into it a new set of labourers, who, if they can maintain themselves in it at all, are much more likely to do so to the injury of its present cultivators, than to their own advantage.

It may be said, that the East-India Company are not desirous of permission to embark in any of these new branches of trade, connected with the port of Canton: that they have never solicited that the existing interdiction to all such trade should be taken off. They are certainly not so sanguine on the subject of the advantages to be expected to result from such speculations as the private merchants—yet that they have not altogether overlooked them, especially as

far as regards the direct supply from China, of the West Indies and the British settlements in North America with Chinese produce, will be perceived from a document entered in the evidence before the Lords' Committee, *p.* 165, from the pen of Mr. Elphinstone, who was within these few years President of the Select Committee in China; a document, which, if the high authority from whence it proceeds, and the important and authentic information it conveys, on almost every branch of the subject, were duly weighed, might probably have rendered any thing else that has been said on the same side of the question by others superfluous.

The Company do not, it must be acknowledged, entertain sanguine expectations on the subject. It is not sufficient either for *their* satisfaction, or for that of the *nation*, though it may be so for that of individuals, that there is evidence to shew, that the British trade with China can be made to flow advantageously through new channels; it must be shewn also, that it can be advantageously extended—*considered as a whole*.—If the experiment is to be tried, let it then be tried by those, who alone can try it safely, the East-India Company.

An Acc *Ships, in each Year from* **1776,**

	2	Ships	1783	Ships	1784	Ships	1785
By Swedes	300	3	4,265,600	3	4,878,900		
Danes	500	4	5,477,200	3	3,204,000	4	3,158,000
Dutch	—	—	— —	—	— —	4	5,334,000
French	—	—	— —	8	4,231,200	4	4,960,000
Imperial	—	—	— —	5	3,428,400		
Hungarian							
Tuscan	—	1	933,300				
Portugueze	—	8	3,954,100	—	— —	4	3,199,000
American	—	—	— —	—	— —	2	880,100
Prussian	—	—	— —	2	3,329,800		
Spanish							
Total Foreign	800	16	14,630,200	21	19,072,300*	18	17,531,100*
English priva trade include	731	6	4,138,295	13	9,916,760	14	10,583,628
	531	22	18,768,495	34	28,989,060	32	28,114,728

	2		1793		1794		1795
By Swedes	330	1	1,559,730	1	756,130		
Danes	—	1	852,670	—	— —	1	24,670
Dutch	330	3	2,938,530	2	2,417,200	4	4,096,800
French	000	2	1,540,670				
Imperial							
Hungarian							
Tuscan	—	1	393,870				
Portugueze							
American	200	6	1,538,400	7	1,974,130	7	1,438,270
Prussian	070						
Spanish	—	3	400	—	— —	1	
Genoese	—	2	578,930	2	289,470	1	17,460
Total Foreign	930	19	9,403,200	12	5,436,930	14	5,577,200
English priva trade include	467	16	16,005,414	18	20,728,705	21	23,733,810
	397	35	25,408,614	30	26,165,635	35	29,311,010

n England in September, 1784.

of Lord Macartney's Embassy.

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I.

NOTE ON THE GENERAL SPIRIT AND CHARACTER OF THE CHINESE LAWS.

II.

EXTRACT FROM AN ACCOUNT OF THE RUSSIAN NEGOTIATIONS AT CANTON, IN 1806.

III.

ADDITIONS TO NOTE ON THE BRITISH FACTORY AND LATE EMBASSY.

IV.

REMARKS ON A RECENT DISPUTE BETWEEN THE AMERICANS AND THE CHINESE.

I.

NOTE

ON THE GENERAL

Spirit and Character of the Chinese Laws.

See page 43.

Mr. Gibbon has remarked, that "The laws of a nation form the most instructive portion of its history:" but the *form* in which this instruction is conveyed is certainly not very attractive; and it must be confessed that the Chinese Code, like those of other nations, is in some degree liable to this objection.—The Author is, however, confident, that the Reader will peruse the following extract from the profound and ingenious remarks upon that Code, of the Edinburgh Review for August 1810, with considerable interest.

Although the Author generally concurs in the sentiments of the Reviewer, he feels himself bound to remark, in justice to the Chinese, that, in his opinion, the frequency of *corporal punishments*, the proneness to *corruption* of the magistrates, and the *want of a sense of honor* among the people, have been considerably over-stated; though it cannot be denied that the charge is, to a certain degree, well founded.

On the first point it may be sufficient to remark, in the words of another Reviewer, that "the common

and summary mode of punishment, for petty crimes and misdemeanours, is unquestionably with the bamboo; but in more serious offences, the number of blows may be considered rather as the *measure or scale*, than the *mode or practice*, of punishment."

Quarterly Review, No. 6.

With respect to the instance alluded to, of the supposed corruption of the magistrates: it is certainly true, that a charge of felony was withdrawn, and one of a less serious character substituted in its place; and, that this change was reported to have been accomplished, at an expence to the Chinese security merchant of, £50,000. It was never, however, precisely ascertained in what *manner* this expence was incurred. It is far from being certain, that *any* part of it was employed in a direct bribe to the magistrates, who officiated as the judges; and it is most probable, that the *chief* part was consumed either in purchasing the silence of the indigent relatives of the deceased; or in what might fairly be termed the *law expences:* but one thing is quite clear, that no bribe, however large, would have secured the object in view, but for the firm and decided resistance of the Select Committee of the British Factory to the unjust demands of the government.

With regard to the alleged want of a due sense of honor among the Chinese; although the charge must be admitted, in a qualified sense, to be true, many distinguished exceptions to it, which would do credit to any age or country, have come within the Author's own knowledge; and he is persuaded, that every person, who has resided for any considerable time in China, would be able to give a similar testimony.

Extract, &c.

"Our readers, we suppose, would not thank us for an exact account of the divisions, books, and sections of this Chinese Code, with a mere list of their titles, and of the subjects of which they treat. It will probably suit their purpose better, if we endeavour, in the first place, to point out what struck us as most remarkable in the general character of the work, and then specify such of its enactments as appear to us to throw any valuable light on the genius and condition of the people, or on the nature of their peculiar institutions.

"And here, we will confess, that by far the most remarkable thing in this code appeared to us to be its great reasonableness, clearness and consistency—the business-like brevity and directness of the various provisions, and the plainness and moderation of the language in which they are expressed. There is nothing, here, of the monstrous *verbiage* of most other Asiatic productions—none of the superstitious deliration, the miserable incoherence, the tremendous *non sequiturs* and eternal repetitions of those oracular performances;—nothing even of the turgid adulation, the accumulated epithets, and fatiguing self-praise of other Eastern despotisms;—but a calm, concise, and distinct series of enactments, savouring throughout of practical judgment and European good sense, and, if not always conformable to our improved notions of expediency in this country, in general approaching to them more nearly than the codes of most other nations. When we pass, indeed, from the ravings of the Zen-

davesta, or the Puranas, to the tone of sense and of business of this Chinese collection, we seem to be passing from darkness to light,—from the drivellings of dotage to the exercises of an improved understanding: And, redundant and absurdly minute as these laws are, in many particulars, we scarcely know any European code that is at once so copious and so consistent, or that is nearly so free from intricacy, bigotry, and fiction. In every thing relating to political freedom or individual independence, it is indeed wofully defective; but, for the repression of disorder, and the gentle coercion of a vast population, it appears to us to be, in general, equally mild and efficacious. The state of society for which it was formed, appears incidentally to be a low and a wretched state of society; but we do not know that wiser means could have been devised for maintaining it in peace and tranquillity."—

—"The next thing that strikes us as remarkable in this collection, is the excessive and unprofitable accuracy and minuteness of its regulations,—the constant desire to regulate every thing whatever,—to interfere in every action, and to fix immutably, beforehand, the effect of every shade of distinction which a case may receive from its circumstances. Thus, the foundation of the whole code is laid in fixing a scale of punishments, rising through twenty degrees, from ten blows with the bamboo to 100 blows,—to 60 blows, with banishment for one year to the distance of 150 miles,—to 100 blows and perpetual banishment to the distance of 1500 miles,—to death by strangling, by decollation, or or by torture; and in case of any offence, the legal

punishment is directed to be increased or diminished by a certain number of those degrees, according to the circumstances of aggravation or palliation by which it may be attended. In like manner, the punishment of theft is made to vary, according to the value of the thing stolen, from ten blows with the bamboo, to death by strangling; and all the considerations of stealing under trust, or from the public, or from relations, are made to aggravate or diminish the punishment by a certain number of those degrees. Besides all this, almost all the actions of a man's life are subjected to the control of the government; and its penal sanctions are incurred for improprieties of the most domestic nature, and even for the most innocent transactions, if entered into without its special license. Thus a man is severely punished for marrying while his parents are in prison, or within three years after their death, or for neglecting to pay honour to their sepulchres; and also for acting as a commercial agent, or even for killing his own oxen, without a written permission from the magistrate—for dressing himself in an unsuitable manner—for allowing his lands to lye waste, or neglecting to pay interest for borrowed money.—Now, this extraordinary minuteness and oppressive interference with the freedom of private conduct, is not to be considered merely as arising from that passion for governing too much, which is apt to infest all persons in possession of absolute power; but appears to us to indicate a certain stage in the progress of society, and to belong to a period of civilization, beyond which the Chinese have not yet been permitted to advance.

" The first efforts of legislation, in all countries, are very short and general; and consist, for the most part, in little else than the brief and authoritative enunciation of some of the great and obvious maxims of morality, or some of the established usages to which the society had previously conformed. Such are the decalogue of Moses; the laws of the twelve tables; and the primitive laws of the Persians and other rude nations. When society has advanced a little, however, and governments have become strong, the legislator takes a much more ambitious aim. Delighted with the effect of his own regulations of police, and the convenience of his own fixed and arbitrary rules of proceeding, he endeavours to extend the same rigid order through all the departments of life; he represses irregularities, merely in order to realize an ideal notion of perfection, and labours to subject the whole frame of human society to a law of uniformity and subordination, under which it is not calculated to flourish.

" In the exultation of their first triumph over the lawless disorders of savage life, the first reformers of the world seem to have thought that it was impossible to have too much law or too much order; and, having fixed in their own minds how it could be best and most convenient that men should live together, to have aimed at enforcing the essential and the insignificant parts of their system with the same indiscriminating earnestness. Having uppermost in their thoughts the dangers of a tumultuary and uncontrolled state of society, they set a most exaggerated value on coercive regulations; and, forgetting altogether both the suffer-

ing and the debasement that was to result from the destruction of individual freedom, thought of nothing but of enforcing and reducing to practice their own schemes of permanent control and complete superintendence.

"It is upon this principle, as it appears to us, that society has, in all quarters of the world, been so frequently moulded by the violence of its early rulers into a form altogether forced and unnatural, and been crushed into artificial regularity, to the obstruction of all its happy and healthy movements. To this source, we conceive, are to be referred the institution of *castes* in India and in ancient Egypt—the inflexible and intolerable discipline of Sparta—a great part of the military array of the feudal system—the distinctions and ceremonies of the tribes of the South Sea and North America—the burdensome police and subdivisions imputed to Alfred in Old England—and, perhaps, the impassable boundaries which existed till lately between the noblesse and the commonalty in continental Europe. In all these institutions we see a love of regularity, and of complete and thoroughgoing control, interfering at a very early period with the natural freedom and equality of men; and endeavouring, with a forcible and jealous hand, to repress all those movements of individual indulgence or ambition, from the greater excesses of which, society had at that time perhaps more need of protection.

"As real civilization advanced, however, this control was felt to be both grievous and unnecessary: a more liberal system was gradually introduced: and, wherever

human intellect expanded, and national prosperity rose high, the bands of this barbaric regularity were burst asunder—members of a truly well regulated state were left to a freedom which appeared frightful and pernicious to the keepers of a half-tamed generation—and men were restored to every degree of independence that did not manifestly endanger the safety of their neighbours. Then, at last, it was discovered, that the irksome discipline of a school could not be advantageously continued towards men of mature growth and understanding; that individual happiness and comfort (which were the ends of all government) were of more value than the preservation of a vain and fantastic uniformity; and that the hazard of occasional disorder was but a cheap price to be paid for the spirit of enterprize and exertion. Stocks and stones, it was perceived, might be wrought, with advantage, into forms of perfect and immutable symmetry; but men, like plants, could only flourish when they were free; and if the gardening was bad which planted trees in triangles and clipped them into cones, the policy was worse which subjected men, in their private functions, to the control of government, and drilled them into spiritless subjection, by the perpetual visitation of the law.

"In the spirit of this policy, however, and in the stage of society by which it is engendered, does the Chinese code appear to have been framed; and to this general and widely operating cause, are we inclined to refer its jealous and vexatious interference with the ordinary duties of individuals. Its minute and anxious

attempts at accuracy in distinguishing cases and proportioning punishments, originate in the same blind love of regularity; and will be found to correspond exactly with the institutions of other countries, while under the influence of the same principle. In Hindustan, where this systematic spirit has perhaps been carried to the most unrelenting length, and been longest maintained, the distinctions are still more ludicrously minute, and the scale of punishment graduated with more elaborate ingenuity. In China, the legislator thought he went far enough, when he specified the precise penalty for tearing off two *tse* of hair, or for throwing filth and ordure on another. The Hindu, however, has had the precaution to provide an appropriate rate of punishment for the offence of throwing *the wax of the ears*, or *the parings of the nails* at one's neighbour; and even to vary the pain, according as those substances are thrown on the upper or the under part of the body, or on the back part or the fore. In antient Europe, there was the same fantastic and preposterous minuteness;—the table of pains, indeed, was different; and, as our ancestors were of too high a spirit to submit to being flogged, consisted, for the most part, in pecuniary fines. In Wales, where specie was less abundant, the law laid on the mulct in grain; and the operation of the same spirit is visible in the anxiety with which the Chinese code directs certain offences to be expiated by 50 blows inflicted on the posteriors with a piece of bamboo, 5 *tsun* in length, 1⅓ *tsun* in thickness, and 2 *kin* in weight, held by the smaller end; and in the no less ingenious and anxious enactment of

the Welch legislator, who provides, that for certain delinquencies the culprit shall pay as much grain as, being poured out on the floor, shall stand in a heap sufficiently high in the centre to cover the body of a full grown cat, held by the tip of the tail, with her nose just touching the ground!

"Upon the folly of these regulations it is unnecessary to enlarge. They have their origin in that unenlightened presumption, which supposes that it is possible for human ingenuity to anticipate all the shades and variations of which human delinquency is susceptible, and to accommodate punishment in so wise a proportion to offence, in a general and permanent code, as that justice shall always be exactly done by its literal enforcement. This, too, is an error of early legislation; and an error that, in the happier regions of the world, is speedily detected by the light of experience and philosophy—proving both that the object is unattainable, and that it is not worth attaining. In almost all cases of variable delinquency, the law need fix only the *maximum* of punishment, leaving it to the judge to give effect to such circumstances of mitigation as may arise. To think of enumerating all those circumstances by anticipation in the law itself, and settling inflexibly the effect they shall have on the sentence, has always appeared to us to be mere foppery and childishness. In an arbitrary government, the judge is likely to be more merciful, as well as more just, than the legislator: and in a free state, the control of public opinion has always been found sufficient to ensure his impartiality. It is not a little remarkable,

however, that this exact adaptation of pains to offences, which, we have seen, is always attempted in ignorant, and abandoned in enlightened times, is very zealously recommended by no less a person than Mr. Bentham, in his *Principes de Legislation*, edited by M. Dumont, —and that he even makes the want of it one of the most serious charges against the present system of jurisprudence in most of the European nations. We have formerly said a good deal upon this subject, in our review of that most ingenious publication; and shall only remark at present, that to determine exactly the point at which the danger of committing something to the discretion of the judge becomes less than that of tying him down by directions altogether inflexible, is one of the most difficult problems in the whole science of legislation, and which can only be resolved in every particular country by a thorough consideration of the character of the people, and the habits of their law officers.

" The third peculiarity which must strike an European—or at least the native of a free country—in perusing this Asiatic code, is the excessive and atrocious severity with which all offences against the government are avenged; and the keen and vindictive jealousy with which the most remote attack on the person or dignity of the Emperor is repressed. Persons convicted of treasonable practices, are to be put to death by slow and protracted torture,—and all their male relations in the first degree indiscriminately beheaded,—their female relations sold into slavery,—and all their connexions residing in their family relentlessly

put to death. All persons, who at any time presume to walk upon the roads set apart for the Imperial journies, shall be severely punished. If they intrude into the line of the Imperial retinue, they shall suffer death; and the same if they enter any apartment of the palace set apart for the use of his Majesty, or any of his near relations. Workmen employed in the palace shall receive a passport at entering, and deliver it back on their return: they shall be regularly counted as they pass out before sunset; and if any one remains behind, he shall be invariably put to death. Our attainder of blood is merciful and just, compared with these regulations:—But the subjects of such a sovereign are amply revenged by the fears in which such laws must originate.

"Another very remarkable feature in this code is the indiscriminate frequency of corporal punishments.—The bamboo is the great moral *panacea* of China: and offences of all descriptions are punished, in every rank of society, by a certain quantity of flagellation. The highest officer in the state is whipped like a common pickpocket; and there are at least fifty clauses in this code, by which, for particular offences, a general officer is ordered to receive fifty lashes on his posteriors, and to continue in the command of the army. Those things sound strangely in our ears; and are, no doubt, accompanied in a certain degree with that general debasement of character, which, according to our notions, must have existed to an enormous degree before they could be endured. The fact, however, probably is, that the degradation which attaches to a blow in modern

Europe, is something greater than its natural share of degradation; and that we are indebted to the peculiar institution of chivalry, for that generous and refined system of manners, which makes it worse than death for a gentleman either to receive a blow, or to be convicted of a falsehood. In China, they have no such delicacy;—a blow is a bad thing in so far as it is painful—and no farther; and, in a country where there seems to be absolutely no sense of honor, there is, perhaps, no punishment so equal and manageable. The truth is, that where the government is strong, and the police active and vigilant, it is a matter of no great consequence what be the character of punishment inflicted on individuals, so it be uniform and unvarying. Before we utterly despise the Chinese, however, for flogging their generals, it would be as well that we should cease to flog the brave men, who should share in the honor, as they do in the perils of our generals; and not aggravate the baseness of such a punishment by the inconsistency of confining it to that order of men, to whom it must be most intolerable. In some particular cases, the law of China allows the corporal punishment to be redeemed by a fine, at the rate of about 30s. for each blow. Such are the chief peculiarities that strike us on a general view of this code."—

—"Such are a few of the leading provisions of this Oriental code; and defective as it must no doubt appear, in comparison with our own more liberal and indulgent constitutions, we conceive, that even this hasty sketch of its contents will be thought sufficient

to justify all that we have said of its excellence, in relation to other Asiatic systems. How far it is impartially enforced, or conscientiously obeyed, we have not, indeed, the means of knowing;—and so slight is the connexion between good laws and national morality, that prohibitions often serve only to indicate the prevalence of crimes, and the denunciation of severe punishments to prove their impunity. Of one crime, indeed, and that the most heavily reprobated, perhaps, of any in this code, we know the Chinese to be almost universally guilty: and that is, the crime of corruption. At Canton, it is believed, our traders have never yet met with any officer of government inaccessible to a bribe; and where this system is universal, it is evident that the very foundations of justice and good government must be destroyed in every department of the state. Of the extent to which falsification may be carried, and of the impunity of which it may be assured by bribery, a notable instance is recorded in the detail published by Sir George Staunton, in the appendix, of the circumstances attending the trial and acquittal of an English seaman, for killing a Chinese in an affray. The native merchant who had become answerable for the good conduct of the crew, finding it impossible to get the officers to deliver up the man, contrived, by bribes, to the amount, as was reported, of no less than £50,000, not only to get a whole host of witnesses to swear to a detailed story directly contrary to the truth, but to prevail on the tribunals and chief magistrates, among whom the real state of the fact

was notorious, to certify and report it to the supreme government, at Pekin, and to pronounce a solemn sentence in conformity to that statement.

"Such, however, will always be the fate of A NATION WITHOUT HONOR; and this is the grand and peculiar reproach of the singular people we have been contemplating. That noble and capricious principle, which it is as difficult to define, as to refer in all cases to a sure foundation in reason or in morality, is, after all, the true safeguard of national and individual happiness and integrity, as well as of their dignity and greatness. It is found, too, in almost all conditions of society, and in every stage of its progress—among the savages of America and the bandits of Arabia, as well as among the gentlemen of London or Paris—among Turks, Heathens and Christians—among merchants and peasants—republicans and courtiers—men and children: It is found everywhere refining and exalting morality—aiding religion, or supplying its place—inspiring and humanizing bravery—fortifying integrity—overawing or tempering oppression—softening the humiliation of poverty, and taming the arrogance of success. A nation is strong and happy exactly in proportion to the spirit of honor which prevails in it:—and no nation, ancient or modern, savage or civilized, seems to have been altogether destitute of it, but the Chinese. To what they are indebted for this degrading peculiarity, we shall not pretend to determine. The despotism of the government—the trading habits of the people—the long peace

they have enjoyed—and their want of intercourse with other nations, may all have had their share.—The fact, however, we take to be undoubted;—and it both explains and justifies the chief deformities in the code we have now been considering. If such a code could be imposed by force upon an honorable and generous people, it would be the most base and cruel of all atrocities to impose it. But it is good enough for a race to whose habits it was originally adapted, and who have quietly submitted to it for two thousand years. When governments begin to think it a duty to exalt and improve the condition of their subjects, the Chinese government will have more to do than any other; but while the object is merely to keep their subjects in order, and to repress private outrages and injuries to individuals, they may boast of having as effectual provisions for that purpose as any other people." *p.* 481—499.

II.

EXTRACT
FROM
ADMIRAL KRUSENSTERN'S ACCOUNT
OF
The Russian Negotiations at Canton,
IN 1806.

THE following extract from the above work contains the particulars alluded to in the text:— *p.* 199.

"Anxious as I was, to know the cause of the detention of our ships, still I was unable to acquire any positive information about it. The merchants of the Hong assured us that the order to detain us some time, was merely a precautionary measure of the viceroy's, whose removal was expected about this time; and that as soon as his successor should enter upon his office, the vessels would be immediately allowed to sail.—This assurance was given me every where; and I felt no more doubts on the subject; but as soon as I learnt that the new viceroy had assumed the functions of his office, I demanded the next day a pass for the conveyance of the last of our goods on board, which was again refused; and it appeared that the present viceroy, as well as his predecessor, did not dare to permit our departure without an order to that effect from Pekin.

In the mean time I addressed a letter in English to him, setting forth the injustice of his proceedings, and what might be the probable consequence of it; and as I imagined our embassador, Count Goloffkin, would long before this have arrived at Pekin, I laid great stress upon this circumstance in my letter, adding my conviction that he would never allow so insulting a proceeding to pass unnoticed.

"With this letter I went to Mr. Drummond, who I conceived would not hesitate in taking up our very doubtful affairs with some degree of earnestness. His influence, as president of the English Factory, of so much importance to the trade of Canton, is very great; but his personal character adds still more to this influence, by securing him the respect and esteem of the Chinese. With great goodness of heart, he possesses infinite uprightness, resolution, and prudence: he is the oracle not only of the English, but of all the Europeans resident at Canton, who, even though their nations should be involved in wars at home, live here in the strictest bonds of friendship. The English have never played so distinguished a part in China as since he has been President of the factory: for in the nineteen years that he has resided at Canton, he has acquired not only a perfect knowledge of the character of the Chinese merchants, but of the spirit of their government in this town; and he never failed, even under the most trying and suspicious circumstances, of asserting the rights and dignity of his nation, and at the same time without injury to her interests. His expected departure for England, which would have taken place

this year, but that the Company had not appointed his successor, which compelled him to remain another twelvemonth, was looked forward to with universal regret.

"Mr. Drummond took up our affairs with the greatest earnestness—The chief difficulty consisted in remitting our letter to the viceroy, as none can ever be forwarded to him direct, and an audience is only to be obtained on very particular occasions. The letter was therefore to be delivered, through the medium of the merchants of the Hong, by the Hoppoo to him; and it was no trifling undertaking to get it translated into Chinese, which must be done by natives, from whom a correct translation can scarcely be expected.—Mr. Drummond assembled all the merchants of the Hong at his house, and in order to render the transaction more solemn, convened the Select Committee of the English Factory, consisting of Sir George Staunton, and Messrs. Roberts and Pattle*."

After a detailed account of the negotiation, which was attended with complete success, Admiral Krusenstern thus concludes:—

"I have entered into more detail in the relation of this circumstance than the interest it possesses may, perhaps, have appeared to deserve: but I conceived it to be my duty to state the fact thus particularly, partly for my own exculpation, as it may have been imagined that something in my conduct might have given rise

* The Author was present at that meeting, but not at that time a member of the Select Committee.

to this misunderstanding, but chiefly to shew how easy it would have been for the English, had they been at all jealous of our trade with China, to have availed themselves of this opportunity to set us for ever at variance with that country.—The least violence on their part would have produced this effect; but that they pursued a different line of conduct will appear by the above account of their proceedings, nor can I sufficiently rejoice at the zeal and eagerness manifested by them in this business—had we been detained only twenty-four hours longer, we must have fallen into the absolute power of these savages, who have been emboldened by a useless moderation, not only to call the polite nations of Europe *barbarians*, but also to treat them as such."

"Shortly after my arrival at St. Petersburgh, I received a letter from Canton, acquainting me that, twenty-four hours after I had left Whampoa, a very positive order arrived from Pekin to detain our ships.—Had this come previous to our departure, we should never, in all probability, have reached Russia: for although this may not have been the intention of the government at Pekin, the order to put us under arrest could not have been carried into execution, without producing scenes that might have led to acts of open violence." *vol.* ii. *p.* 290—299.

III.

ADDITION TO THE NOTE
ON THE
British Factory and the late Embassy.

See page 242.

The five gentlemen who are alluded to in the text, as having accompanied the late Embassy, and as having (exclusively of the Author) possessed a knowledge of the language and institutions of the country, were Messrs. Toone, Davis, and Pearson, the Rev. Dr. Morrison, and Mr. Manning.

Mr. Toone has since become a member of the Select Committee in China, and will probably, 'ere long, ably preside over all our affairs in that quarter.—Mr. Davis, also a member of our establishment in China, is the Translator of the only specimen of the Chinese Drama which we possess in English, derived directly from the language of the original; and he has recently favored the public with another very interesting volume of Translations from the Chinese, consisting of novels, proverbs, and moral maxims; thus conveying in a pleasing and popular form, information of the most valuable kind respecting that singular people.

Mr. Pearson, in his situation at the head of our medical establishment at Canton, has been materially assisted by his knowledge of the Chinese language, both in his scientific researches, and in the performance of humane services, connected with his profession;

but more especially in introducing, and subsequently promoting the practice in China, of Dr. Jenner's invaluable discovery of the vaccine innoculation.—In 1805, the Author had the satisfaction of translating into Chinese a small tract on the subject, written for the express purpose by Mr. Pearson; and it was immediately, with the usual liberality of the East-India Company, printed and very extensively circulated gratis among the natives at Canton, at their expence—With this assistance, and under Mr. Pearson's superintending direction, the practice of the vaccine innoculation was soon very generally understood, and adopted in the neighbourhood; and the Chinese became so sensible of its value, that they themselves formed a society for its encouragement and preservation.

The merits of the Rev. Dr. Morrison are too well known to require any eulogium here.—His invaluable Dictionaries, Grammars, and other works, for aiding the student in the acquisition of the Chinese language, have produced altogether a new era, in respect to this branch of literature; and have, for the first time, rendered an examination of all its treasures, in the original language, an object of very possible attainment by the learned and studious in this country.

Mr. Manning has not yet favored the public with the fruits of his researches into the literature and institutions of China, and of the other interesting and almost unknown regions of the East, in which he has travelled: but they are looked for with great impatience by his friends, and indeed by all persons, who are aware of his eminent talents, and early reputation in other branches of knowledge.

IV.

REMARKS
ON A RECENT DISPUTE
BETWEEN
The Americans and the Chinese.

SINCE the foregoing pages were written, the particulars have been received of a recent dispute between the Americans and the Chinese, at Canton; which establish very clearly two points of some importance to the question which has been discussed at length in the latter part of this volume: namely, first, that the Chinese government holds the *entire* trade of each nation responsible for the conduct of the individuals of that nation, exactly in the same manner and degree, when the trade is carried on by a number of unconnected individuals, as it does when it is carried on under the control of one corporate company—secondly, that a policy in many respects *opposite* to that which the English at present adopt in China, in cases of homicide, does *not* conduce to a satisfactory issue.

It appears that on the 23rd of September last, an Italian sailor of the name of *Terranova*, serving on board of an American vessel at anchor, at Whampoa, threw an earthen-ware jar from the ship, at or towards a Chinese woman, who was selling fruit and vegetables in a small boat along-side; and that the jar having unfortunately struck her on the head, she fell out of the boat and was drowned.

It was evidently very difficult in such a case to determine what degree of blame was imputable to the sailor: he might have been altogether free from any evil intention; and even under the most unfavorable construction of his conduct, it seems quite impossible to suppose him to have been guilty of an act of deliberate murder.

It is altogether a mistake to suppose that the Chinese law in such cases makes no distinctions, or that it invariably requires blood for blood, as the Edicts addressed by the government to foreigners insinuate.

The Chinese law not only remits the punishment of death in cases of accident, but defines these cases with considerable accuracy in the following manner:—

"All persons who kill or wound others purely by accident, shall be permitted to redeem themselves from the punishment of killing or wounding in an affray, by the payment in each case of a fine to the family of the person deceased or wounded.

"By a case of pure accident, is understood a case of which no sufficient previous warning could have been given, either directly, by the perception of sight and hearing, or indirectly, by the inferences drawn by judgment and reflection; as for instance, when lawfully pursuing and shooting wild animals, *when for some purpose throwing a brick or a tile, and in either case unexpectedly killing any person;* when after ascending high places, slipping and falling down, so as to chance to hurt a comrade or by-stander; when sailing in a ship or other vessel, and driven involuntarily by the winds; when riding on a horse, or in a carriage, being

unable, upon the animal or animals taking fright, to stop or to govern them; or, lastly, when several persons jointly attempt to raise a great weight, the strength of one of them failing, so that the weight falls on, and kills or injures one of his fellow labourers:—in all these cases, there could have been no previous thought or intention of doing any injury, and therefore the law permits such persons to redeem themselves from the punishment provided for killing or wounding in an affray, by a fine (about £4 sterling) to be paid to the family of the deceased or wounded person, which fine will in the former instance be applicable to the purpose of defraying the expences attending the burial, and in the latter, to that of procuring medicines and medical assistance. *p.* 314, 315.

By shaping the charges against the English seaman in 1807, conformably to the foregoing provisions, the Chinese local government released themselves from the necessity of insisting on the surrender of his person for trial, and at length obtained the emperor's confirmation of their sentence of final dismissal. A similar termination, effected by the same means, would undoubtedly have been extremely desirable in the case of the unfortunate sailor Terranova: but even if this could not have been accomplished, it by no means follows, according to the ordinary administration of the Chinese Laws, that he should suffer death. A case, apparently of a much stronger nature occurred within the author's recollection; in which the offender, who was a native of the lowest class, and therefore of course without money, or other means of influence, was ulti-

mately sentenced to only three years banishment from his native province. He had struck a person in a quarrel in the street, and the blow was so severe that it proved fatal almost immediately.

In fact, the Chinese law, like ours, recognises different degrees of culpable homicide; and although it professes to punish both murder and manslaughter with death, it distinguishes between them, by annexing the more ignominious sentence of *beheading* in the one case, and that of *strangling*, (by which the body is not mutilated) in the other. When there are no circumstances of peculiar aggravation, the sentence is usually mitigated in practice one degree; and thus the murderer, only, suffers death by being strangled; and the offender guilty of manslaughter is banished.

The Law on the subject is as follows:—

" All persons guilty of killing in an affray; that is to say, striking in a quarrel or affray so as to kill, though without any express or implied design to kill, shall, whether the blow was struck with the hand or the foot, a metal weapon, or with any instrument of any kind, suffer death by being strangled, after the usual period of confinement.

" All persons guilty of killing with an intent to kill, shall suffer death by being beheaded, after being confined the usual period.

" When several persons contrive an affray, in the course of which an individual is killed, the person who inflicts the severest blow or wound, shall be strangled, after the usual period of confinement." *p.* 311.

It is to be noted, that the words " After the usual period of confinement," are carefully annexed to each

sentence. This clause, which is not universal, operates in these cases like a reprieve, and affords the sovereign an opportunity of remitting the ignominious part of the sentence in the one case, and of commuting it for banishment, perpetual or temporary, according to circumstances, in the other. This merciful provision of the law, appears indeed to have been suspended, in respect to foreigners, by the authority of a special Edict, issued at the recommendation of the local government of Canton, about 1753.—But it certainly cannot be contended that this Edict, now forms a part of the immutable laws of the land; and it is so evidently partial and unjust towards foreigners, that if properly remonstrated against, it would hardly be acted upon.

To return to the recent case of the unfortunate sailor Terranova. It is stated that as soon as the circumstance of this accident reached the knowledge of the Viceroy of Canton, an Edict was issued by him addressed to the Hong merchants desiring them to call upon the American consul to deliver up the person of the sailor for trial. This, the Americans, it seems, in the first instance, refused to do; the Chinese in consequence immediately put a stop to the *whole* of the American trade at Canton, and at the same time, the Chinese security merchant, and Chinese linguist of the ship Emily, were both arrested, and placed in close confinement within the city of Canton.

A negotiation between the Americans and the local government now commenced, and in the course of it, an inferior mandarin accompanied by a party of American gentlemen visited the Emily, and was permitted to put some questions to the sailor Terranova; but no

decisive step appears to have been taken on either side till the 25th of October, when an inferior mandarin having been again deputed to Whampoa by the order of the Viceroy, he received possesion of the person of the unfortunate sailor, without difficulty or resistance; as the man, upon being demanded by the Hong merchants on board the Emily, is understood to have voluntarily surrendered himself into their hands.—He was immediately conveyed to Canton, and placed in confinement in irons, in a place called the Conso-house, belonging to the Hong merchants. During the two following days, the forms of a Chinese trial were gone through in the same place, but the precise nature of the proceedings can only be conjectured, as no foreigner of any description was allowed to be present; and on the third day, about day-break, notwithstanding a very general expectation entertained at Canton, that his life would be spared, the unfortunate man was brought forth and publicly strangled at the usual place of execution, without the walls of the city. His body was given up to the Americans in the course of the evening; and on the following day, the trade was re-opened.

This unexpected result appears to have caused great sorrow and indignation among the foreigners generally at Canton, who justly considered the secrecy and unfairness with which the trial was conducted, and the precipitancy with which the sentence was afterwards executed, as equally a violation of the natural principles of justice, as even of the forms of Chinese law, such as it is administered in ordinary cases.—The peculiar severity exercised on the present occasion, is

however not difficult to be accounted for.—The strong impression which prevails with the Chinese local government, of the insubordinate character of foreigners, renders it peculiarly disposed to seize any opportunity of inflicting upon them what it conceives to be an example of salutary terror; and to this it is further goaded on by the general feelings on the subject of the Chinese populace, to whom the foreign sailors are peculiarly obnoxious, and who, on the occasion of the dispute with the English in 1807, actually manifested its feelings by public placards of a very insulting nature, reproaching the government with having made unworthy concessions.

It is unquestionable therefore that foreigners in China will always find it difficult to protect the life of any individual, who (however innocent of the crime of murder) may be charged with having occasioned in any manner the death of a native; and that they will have little chance of success, unless they are prepared to risk every thing in the contest.

The following are the Translations, which have been received from China, of the principal official documents which emanated from the local government on the above occasion—They are inserted, however, more for their curiosity, than as conveying correct information: —With respect to the general accuracy of Chinese documents, in which foreigners are concerned; the Author is very much inclined to concur in the opinions of Dr. Morrison and Mr. Milne, quoted in *p.* 222 of this volume.

Paper issued by the Viceroy of Canton, on Sunday, October 28th, 1821.

Yuen, guardian of the prince, and governor general of Canton and Kwang-se provinces, to the Hong merchants.

It appears in former documents that *Ko-leang-she*, a boat-woman belonging to *Pan-yu* district, received a wound by a jar which caused her to fall into the water and lose her life; which jar was thrown by a foreigner in Coupland's American ship.

The merchants communicated an order to the chief of the said nation to take the murderer Francis Terranova, and deliver him up, this being done, an officer was deputed with the magistrate of the said district, to summon the relations of the deceased and witnesses, the Hong merchants and the linguists, and to institute a minutely particular and grinding examination; and it has now been proved that Francis Terranova confessed he threw the jar and wounded *Ko-leang-she*, who fell into the water and was drowned: this is very clearly and positively ascertained. Next the Provincial Judge was dispatched with the *Foo*, *Ting*, and *Hien* magistrates, who tried the case clearly and reported it to me.

These successive steps have been taken, as appears on record; and the foreign murderer, Francis Terranova, has, according to law, been strangled.

Previously to this, in consequence of the said nation's chief staring about, opposing, and lingering, and not

delivering up the actual murderer immediately; I communicated with the Hoppo and requested him to order the merchants to command the man to be delivered up; and I examined the records, and in imitation of an old English case, I directed the whole of the American trade to be stopped.

Since they have now delivered up the foreign murderer, who has been clearly tried and punished; the said chief has on the whole behaved respectfully and submissively; and it is proper to permit the trade to be again opened; and cargo to be taken up and down, in order to manifest our compassion.

Beside communicating this to the Hoppo, I hereby command the Hong merchants to act in obedience thereto; and to communicate an order to the American chief, that he may inform the several ships that they may carry on their trade as formerly, and open their hatches, and buy and sell.

And further order the said chief and others, that they ought to know that the laws of the Celestial Empire are explicit; that he who kills a human being must die; and that through the whole of the Celestial Empire, from East to North, and from West to South; an extent of several times ten thousand miles; both with respect to natives and foreigners, in cases of life and death, there is no spot where the forfeiting of life is dispensed with. Since these foreigners come to trade in the interior, they ought to be quiet and observe the laws. Although these ships anchor a long time in the interior, and it is impossible to be surety that these

people never wrangle and fight with the natives; yet the said chiefs and captains, ought all of them, and constantly, to caution and command their sailors in the ships that they are not permitted to create disturbances, and proceed to murders, and when disturbances are excited and overt acts committed, the said chief should find out who originated the bloody affray, point out his name, and deliver him up, that the local magistrates may try him and punish him; when this is done the reasons and conduct are correct. They must not any account screen the offender, and make pretexts, and delay giving him up, and bring upon themselves heavy crimes.

The Celestial Empire's kindness and favor, and tenderness to the weak, is rich in an infinite degree; but the nation's aspect sternly commands respect; and cannot, because people are foreign sailors, extend clemency to them.

Let the Hong merchants explain luminously this official mandate; and persuade and induce the said foreigners, all of them, to know it, and to be warned by it, and to be thereby filled with reverence and awe, that each may ensure the safety of his own person and family, and not bring himself into sorrow.

A special Edict { *Taou Kwang*, 1st year, 10th moon, 3rd day.

(Translated by the Rev. Dr. Morrison).

Statement to the emperor, Taou-Kwang, concerning an American sailor, Francis Terranova, executed at Canton, by strangling, on Sunday morning, October 28th, 1821; for the alleged crime of causing the death of Ko-leang-she, *a Chinese woman who lived in a boat at Whampoa, and sold fruit and liquors to the sailors.*

A memorial to His Imperial Majesty concerning the trial and punishment, according to law, of an American sailor, who wounded and caused the death of a native woman*: The memorial is respectfully presented to His Imperial hearing.

Wang-yung-jin, the Whampoa magistrate, laid before government the information that, on the 28th day of the 8th moon of this year, a foreigner, in an American ship, wrangled with the native woman, *Ko-leang-she*, about some fruit, and he threw a jar at her, which wounded her, and caused her to fall overboard and lose her life; and so on. An order was immediately issued to the said foreign ship to deliver up the murderer for trial and punishment.

After this, Wilcocks†, the chief of the said country, discovered that the ship was hired to come to Canton, by *Too-Leet*‡; that she was commanded by Coupland§,

* *Min-Foo* is the expression here used; the previous documents call the unfortunate woman *Tan-Foo*, a woman who lives in a boat; and who has not the same consideration in the eye of the law as those who live on shore and are called *Min*.

† Mr Wilcocks, American consul, at Canton.

‡ Mr. Stith, supercargo of the Emily.

§ Captain of the Emily.

and that in her the sailor, Francis Terranova, had thrown the jar at the native woman to buy fruit; but, there was no such thing as wounding; nor did they know how she fell into the water and lost her life.

He further said, that Francis Terranova, was rather seriously sick from melancholy and fear. These communications were made, in behalf of Wilcocks, to government, by *Pacqua*, the security merchant, and the others.

The committee of head merchants, Howqua, and the rest, also stated that they had found out that Francis Terranova was just put in irons by the captain on board ship.

It was found on examination, that when the native woman, *Ko-leang-she*, was wounded and fell overboard, from a foreigner throwing a jar at her, which caused her to lose her life, her daughter, *Ko-a-tow*, and a woman, who knows a little of the language of the foreigners, *Chin-le-she*, were in the boat and saw it with their own eyes; and cried out, and endeavoured, without effect, to pull her out of the water, by the assistance of a revenue attendant called *Ye-sew*.

The husband of the deceased, *Ko-soo-te*, recovered the body, and reported the affair to the local magistrate, who summoned the said nation's chief, and merchants, and captains, to see, and to join him to examine the body with their own eyes, and ascertain that it really was from a wound received that the woman fell overboard and was drowned.

The local magistrate above named went in person to the ship, and examined Francis Terranova, but he

obstinately persisted in denying the above quoted evidence: this conduct was indeed allowing himself to depend on craft and deceit, and had not the least shadow of reason in it.

Since the said foreign ships anchor long at Canton, wranglings, fightings, and mortal wounds are a common occurrence—And, as the native officers of government do not understand the language of the foreigners, it has always heretofore been the practice to order the chiefs of the respective countries to find out the murderer, and question him fully, and ascertain distinctly the facts, and then deliver him up to government, after which a linguist is summoned, the interrogatories translated, and the evidence written down, and the prosecution conducted to a close. In the present case the name of the foreign murderer, Francis Terranova, was pointed out by the said foreign ship itself; and it was acknowledged by Francis Terranova himself, that the jar thrown was his property; and, if Francis Terranova was not the actual murderer, why did he become sick from melancholy? and why, moreover, did the ship captain put him in irons? In these proceedings and statements there is every species of self-contradiction and incoherency; which all shews the crafty and deceitful disposition of the foreigners. The said chief made evasions, and stared about, and delayed to deliver up the foreign murderer; and the security merchant and linguist did not examine with strict justice; nor dispute the matter with the foreigners clearly; but precipitately laid before government the absurd glosses and pretexts of the foreigners; which all shewed a

playing with the business, and an opposition to government. But the affair was that of a foreigner wounding, and causing the death of a native; and the least indulgence could not be shewn to false glosses; therefore the security merchant and the linguist were taken up, and put into the district prison—And a reference was made to the Hoppo, the whole commerce of the said nation put a stop to, for the time being, till they should deliver up the foreign murderer to be judged and sentence determined.

After this, *Ah-urh-pang-ah*, the Hoppo, strictly prohibited any vessel's leaving the port—This being done, Howqua presented a petition from the aforesaid foreign merchants, requesting that an official messenger might go with the Hong merchants to the ship, and examine the foreign merchants, captains, &c. whether they could point out any other person as the actual murderer or not; and if not, to take Francis Terranova, and bring him to Canton in custody.

This being done, the *Kwang-chow-foo*, with the *Tuh-leang-tung-paou*, the *Nan-hae* magistrate, and the Whampoa magistrate, were sent to collect and bring before them the relations of the deceased, and witnesses; and to judge clearly, deliberately, and decide, which proceedings were to pass through the hands of the acting *An-cha-sze* (or provincial judge) who retained the prisoner, and laid the following elucidation before me, your majesty's servant.

Francis Terranova is a sailor on board the ship, under the ship master Coupland, which ship the foreign merchant *Too-leet* hired to come to Canton. On

the 28th day of the 8th moon of the first year of *Taou-Kwang*, at noon, it happened that, at the part of the river where the ship lies, a native woman who sold fruit, *Ko-leang-she*, with her daughter, *Ko-a-tow*, were sitting in a small boat and passing the said ship's side. The sailor, Francis Terranova, called to her to come near, and putting fifty cash into a water bucket, let it down by a cord to purchase plantains and oranges, *Ko-leang-she* took the cash and put ten and upwards of plantains and oranges into the bucket, which was drawn up into the ship again. Francis Terranova, disliked their being so few, and required more.—*Ko-leang-she*, knowing a little of the foreign dialect, said he must give her more cash and she would give him more fruit. Francis Terranova would not do this, and they wrangled, and *Ko-leang-she* clamoured with a loud voice, and Francis Terranova, fearing that the ship captain would hear and reprehend him, in a sudden fit of passion seized a jar that was at hand and threw it down from above, and the corner of the bottom of the jar broke through a bamboo hat which *Ko-leang-she* had on, and wounded the right side of her head, which caused her to reel and fall over into the water.

Ko-leang-she's daughter cried out to save. It happened that a revenue attendant, *Ye-sew*, appointed to watch the foreign ships, was sitting at his leisure in a boat of a boatwoman, *Chin-le-she*, and *Chin-le-she* was sitting at the head of the boat and got a glance of it, and called out, and with *Ye-sew* endeavoured ineffectually to pull and save the woman. *Ko-leang-she's*

husband was not far off, and when he heard of it he hastened to the spot, and, with *Ye-sew*, questioned *Ko-a-tow* and *Chin-le-she*, and thus knowing the circumstances recovered the body, which was dead—The bamboo cap floated and was immediately taken up, and the jar was found in *Ko-leang-she's* boat.

The husband of the deceased reported the case to the local magistrate, who went in person with the chief, Wilcocks, and the foreign merchant *Too-leet*, aud captain Coupland, and examined the wound on the right side of the head of *Ko-leang-she:* it was a curved wound, one punto (inch) four-tenths long, and three-tenths broad; and went deep as the bone, which it injured.—Undoubtedly, it was the wound which caused her to fall into the water and lose her life. On examining the instrument of the murder, the jar, it filled the rent in the bamboo cap of *Ko-leang-she*—And this jar was taken, and the said captain and others required to acknowledge that it belonged to their ship; and they were ordered to deliver up the foreign murderer to be prosecuted.

The foreign merchant, *Too-leet*, and the captain, Coupland, examined the sailor, Francis Terranova, and he merely said that he gave the jar to the woman to buy fruit, but he would not confess that he wounded her, and caused her to fall into the water.

And neither the said chief, the security merchant, nor the linguist, did any of them make a faithful investigation; but precipitately presented for the foreigners their absurd statements—Nor did they deliver up the foreign murderer, till I confined the merchant and

linguist, and stopped the trade: then these foreign merchants petitioned that officers should be sent to take Francis Terranova.

This foreign murderer, Francis Terranova, at first was crafty and dilatory, till he saw the witness *Chin-le-she*, and the daughter *Ko-a-tow*, bearing witness against him in the foreign dialect; then the foreign murderer could no longer oppose any pretext, but confessed freely all the preceding circumstances—And moreover it is authenticated that the said foreign murderer, in open court, struck his breast with his hand, to make a sign of confession that the jar was his property—And more still, it is authenticated that he took the jar in his two hands, and shewed the manner in which he threw it down from above—And again, the linguist was ordered to put the interrogatories to him carefully and singly, and he persisted undeviatingly in his confession, In this statement of the case there is no evasion or gloss.

Now it is written in the law, "When persons outside the pale of (Chinese) civilization shall commit crimes, they too shall be punished according to law."

Again, it is contained in the law, "Those who fight with each other, and kill a person; whether with hand or foot, or any thing else, or with a sharp metal weapon, shall be strangled, after a period of imprisonment."

And, during the eighth year of *Kien-lung's* reign, *Tsih-lang*, the governor of Canton, made the following proposal to the emperor, which was approved:—

"If cases of murder occur between natives and foreigners, whether from previous conspiracy, wilfully,

or fighting affrays, and the case requires the foreigner to be decapitated or strangled, the local magistrates shall, when they examine the body make full and faithful interrogatories, and shall report to the *Fou-yuen* and governor, who shall carefully examine the case; and if the facts are really as stated, they shall order the local officers and the respective foreign head person, to take the criminal and punish him according to law, and dispense with his being delivered over to imprisonment, and removal for examination in the interior courts. And that at the same time a faithful report be made to the emperor, and a copy of the evidences sent to the appropriate board in Pekin." This is on record.

Now, the American foreigner, Francis Terranova, having, as is well authenticated, freely confessed and been fully convicted of having wrangled with *Ko-leang-she* about fruit, and of having thrown a jar which wounded her, made her fall into the water, and lose her life; according to law he must be sentenced to be strangled. The crime and the punishment exactly correspond. I, therefore, forthwith ordered the *Kwang-chow-foo*, with the *Nan-hae* magistrate, and the Whampoa magistrate, to join the military officer, the *Kwang-chow-hee*, and unitedly to summon the linguist, and the chief foreigner; and on the 3rd day of the 10th moon of the present year, to take the said foreign murderer, Francis Terranova, and according to law strangle him; to display luminously the laws of the empire.

As to foreigners purchasing eatables; heretofore government has given them Compradores to do it for

them: and therefore, in this case, the woman, *Ko-leang-she*, going privately to sell fruit, was very improper: but she has been wounded, and lost her life, and therefore it is unnecessary to deliberate about her punishment.

As to *Ye-sew*, the revenue attendant, who failed to discover the transaction, he ought, for misconduct, to be punished with eighty blows, and dismissed.

As to the said foreign merchant *Too-leet*, and the ship master Coupland, they did not know, till they found it out on enquiry, that the sailor, Francis Terranova, clandestinely bought fruit; and although they precipitately reported to government the crafty pretexts of the said foreign murderer, still they took him and put him in irons in the ship, and therefore did not wilfully connive at his conduct, nor screen him. And also, when the local magistrate went on board to institute a trial, the foreign merchants and captains put their hats off, and stood up in attendance on him; and waited to reply; and stood to answer. And when a strict stoppage of their trade took place they petitioned that an officer should be sent to the ship to take out the murderer, and to bring him to Canton, for judgment: in all of which parts of their conduct they shewed a respectful submission to and dread of the laws; and therefore it is not necessary to deliberate further about their punishment, nor yet about the security merchant, nor the linguist, who I find did not combine to put a false gloss on the proceedings. The security merchant and the linguist have been liberated; and the trade of the said nation has been opened, and

they are allowed to buy and sell as usual. And an order has been issued not to permit small boats to sell eatables to the foreign ships; and thereby to cut off the occasion of bloody broils.

And I have ordered the Hong merchant Howqua to promulge an Edict to the said foreign chief, telling him, that he ought to know that the laws of the Celestial Empire are to be respected and feared; that foreigners, when they enter the country, should be quiet and observe the laws; and that the said chief and captains must constantly caution their sailors not to make a disturbance and commit murders; and if it does happen that disturbances are fermented and deeds committed, that they should find out the man who originated the affray, and tell his name, and deliver him up, and wait for the local magistrate to judge and punish him; and must not screen him and bring heavy guilt upon themselves; and that thus they will act becoming the tenderness and gracious kindness with which the Celestial Empire treats them.

Beside sending a copy of the confession to the board at Pekin, I lay this statement before His Imperial Majesty, for his sacred inspection, and prostrate beg that he will look at it.

Again, since I act as *Foo-quen*, it is unnecessary for me to make a communication to that office.

A most respectful Memorial { *Taou Kwang*, 1st year, 10th moon.

(Translated by the Rev. Dr. Morrison).

The Author cannot conclude this article without subjoining, as a counterpart to the foregoing statement, the substance of an interesting narrative of the circumstances, which appeared in the Times Newspaper of the 6th of May, and which, with some trifling exceptions, corresponds with the information the Author has received on the subject in private letters.

" A seaman, a native of Italy, acting second officer on board an American vessel*, observing a woman hand some samsoo (spirits) into one of the ports of the ship, threw a small stone jar at her, which struck her on one of the temples. The woman fell over-board and immediately sunk, either because stunned by the blow, or in consequence of the pin, on which the oar was fastened, breaking, on her pulling away from the ship: both accounts are given. She was found next morning at some distance from the ship, with a small wound, as the Chinese asserted, on one of the temples, but stated by the Americans to have been made by the Chinese after she was found drowned, but without any injury of the skull. The family to which the woman belonged threatened, next morning, to represent the alleged murder to the Chinese authorities, and to demand the murderer to be given up for trial, but at the same time gave them to understand, that all would be hushed over if the Americans would give them three or four hundred dollars. This is

* The Author's private accounts do not mention that this sailor acted as an officer:—and he is informed, that he was *not* taken out of the American vessel by Chinese soldiers, but surrendered himself to the Hong merchants, to all appearance, voluntarily.

stated to have been refused, and, on some of the inferior mandarins getting notice of it, the demand was increased to as many thousand. The Americans refusing to pay this douceur or bribe, the mandarins at Canton were informed of it, and immediately demanded the man for trial. All trade with the American ships in Canton river was immediately stopped.

"The Americans at first steadily refused to give the man up, and the Chinese came to the resolution of trying the man on board his own ship, to which the Americans consented. During the mock trial, not one witness was examined for the defendant, and the Chinese also refused admittance to Dr. Morrison, who volunteered his services as interpreter at the trial.—The man of course was found guilty by such a tribunal, and it was now more insisted on that he should be given up. It was likewise demanded that he should be confined in irons, which was complied with.—About a week afterwards the Americans began to waver, and at last it was agreed on that he should be given up for a second trial at Canton, which it was said would be publicly and fairly conducted, with examination of witnesses for and against the prisoner.

"The man was accordingly taken out of the ship by a strong party of Chinese soldiers, and conveyed to Canton, where a few days afterwards the trial took place. During the mock trial, not an American or any person on the man's part was present. A body of captains and officers of the Hon. Company's ships went to the Conso or court-house, and demanded admittance, in order to see justice done to the unfortunate man, but they were refused it, on the plea

that as the prisoner was an American it was no affair of theirs as Englishmen.

"It is understood from some of the Chinese who were present, that after a few questions put to the poor man, and the examination of two witnesses, they produced a paper, which they advised him to sign by imprinting the mark of his open hand upon it, with red ink. They represented to him that it was merely a statement of the trial, which must be sent to Pekin for inspection, before they could proceed further; and that it was likely, on its being sent, and an answer returned, he would be immediately acquitted.

"The unfortunate man, surrounded with strangers, without any other advice, and put off his guard by the fair promises of a security merchant of high rank, and two China-street merchants who acted as interpreters, and who pretended to be his friends, imprinted his hand on the paper. All further proceedings were immediately stopped. It was a confession of his guilt, which was immediately forwarded to Pekin, and completely screened the viceroy and mandarins, in the event of any disturbance with the American government. The poor man, still ignorant of his fate, was taken back to prison; and, according to the Chinese custom, his irons were taken off, and he had plenty to eat and drink.

"On the fourth or fifth day after the trial, about four o'clock in the morning, the security and China-street merchants, who attended him on his trial, visited him and told him that they had heard from Pekin, and that it was necessary he should go into the city, in order to hear the contents of the dispatches, not alluding in the

most distant way to their purport. The unfortunate man, in high hopes of being soon liberated, cheerfully obeyed. He was taken into the heart of the city in a sedan-chair, attended by the merchants, and put into a room, where he was told he must remain a short time. Soon after, some Chinese soldiers entered and took him out at another door; and the first intimation he had of his cruel fate, was the executioner and implements of death before him, and the heads of decapitated Chinese hung round a kind of square crowded with spectators. He uttered a yell of despair, raised his hands to Heaven, and was understood to protest his innocence, and to implore the sight of an European or American.

"The executioner paid no attention to his cries, but immediately proceeded to strangle him according to the usual horrid way directed by the Chinese law.

"Ropes were first tied round his ancles and wrists, and then gradually round the more vital and sensible parts; and finally round the neck, until he expired by a languishing and cruel death*."

* The Author is inclined to believe, that the picture here drawn of the sufferings of a criminal under this mode of execution is considerably over-drawn—and that he is merely *confined* in the first instance, and that the actual execution by strangling is as expeditious, and as limited in point of suffering, as our mode of executing criminals, by hanging, in England.

THE END.

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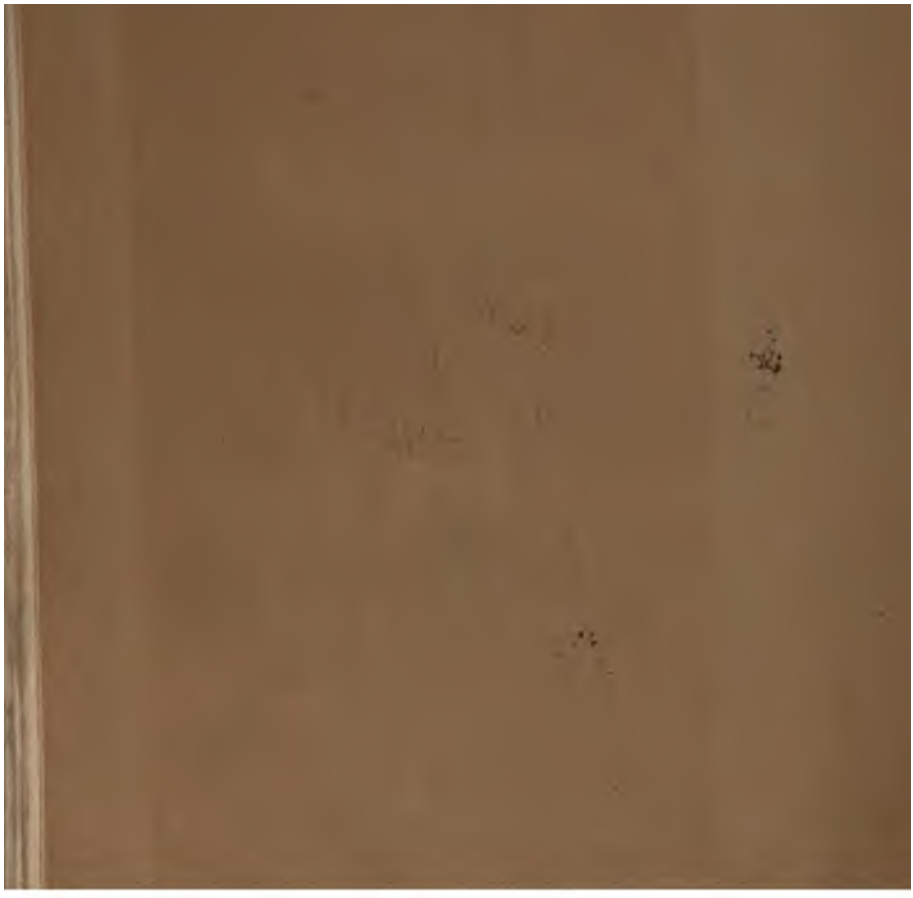

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